

Columbus City Bulletin



**Bulletin 14
April 6, 2002**



Proceedings of City Council

Vol. LXXXVII

Saturday, April 6, 2002

NO. 14

PROCEEDINGS OF CITY COUNCIL REGULAR MEETING NO. 14 MONDAY, APRIL 1, 2002 AT 5:00 P.M.

Council met in regular session with President Matthew D. Habash in the chair. The roll being called, the following members were present: Kevin Boyce, Jennette B. Bradley, President Pro Tem Michael C. Mentel, Maryellen O'Shaughnessy, Richard W. Sensenbrenner, Charleta B. Tavares and President Matthew D. Habash.

There being a quorum present, Council adopted a motion to dispense with reading of the minutes of the previous session and to accept the journal as recorded.

PROCEEDINGS OF CITY COUNCIL REGULAR MEETING NO. 15 MONDAY, APRIL 1, 2002 AT 6:30 P.M.

Council met in regular session with President Matthew D. Habash in the chair. The roll being called, the following members were present: Kevin Boyce, Jennette B. Bradley, President Pro Tem Michael C. Mentel, Maryellen O'Shaughnessy, Richard W. Sensenbrenner, Charleta B. Tavares and President Matthew D. Habash.

There being a quorum present, Council adopted a motion to dispense with reading of the minutes of the previous session and to accept the journal as recorded.

APPOINTMENTS

The following were hereby appointed to serve on the Columbus Youth Commission Board: Dr. Marvenia E. Bosley, Ms. Alethea E. Gaddis, Ms. Jackie Calderone terms expiring December 31, 2002; Reverend Dennis Donovan, Mr. Atiba W. Jones terms expiring December 31, 2003 and Ms. Tei Y. Street term expiring December 31, 2004.

In addition, the two ex-officio spots on the nine member Advisory Board are Director G. Hannah Dillard and Councilman Kevin Boyce.

The following were hereby appointed and reappointed to serve on the Central Ohio Transit Authority (COTA) Board: James W. Rarey, Andy Geiger, Robert J. Weiler, Sr., Patrick Grabill and Ernest Lee Sullivan terms expiring March 31, 2005.

DEFEATED LEGISLATION

- 1638-97 To rezone 1521-1541 LOCKBORNE ROAD (43207), being 1.38± acres located at the southwest corner of Lockborne Road and Frebis Avenue, From: R-4, Residential and C-4, Commercial Districts, To: CPD, Commercial Planned Development District. (4-1-02)
- 1029-98 To grant a Variance from the provisions of Section 3355.01, C-3, Commercial District, and 3355.05, Building lines in Community Scale Commercial Districts; for the property located at 1890 CLEVELAND AVENUE (43221), to permit a vehicle reconditioning/detailing business in the C-3 Commercial District. (4-1-02)
- 1759-98 To rezone 2675 CORPORATE EXCHANGE DRIVE (43231), being 4.61± acres located on the south side of Corporate Exchange drive, 1000± feet west of Cooper Road, From: C-2, Commercial District, To: L-ARLD, Limited Apartment Residential District.
- 1766-98 To grant a Variance from the provisions of Section 3361.02, Permitted Uses; for the property located at 6810 OAK CREEK DRIVE (43229), to permit office/warehousing in the CPD, Commercial Planned Development District. (4-1-02)
- 1494-99 To rezone 3119 SCIOTO DARBY EXECUTIVE COURT (43026), being 12.53± acres located at the terminus of Scioto Darby Executive Court between Interstate 270 and Conrail Railroad tracks. From: M-2, Manufacturing District, to: L-AR-12, Limited Apartment Residential District (4-1-02)

- 1613-99 To grant a Variance from the provisions of Section 3363.01, M-Manufacturing District; 3364.24, Building Lines in an M-Manufacturing District; 3342.15, Maneuvering; 3342.28, Minimum Number of Parking Spaces Required; 3342.29, Minimum Number of Loading Spaces Required; and 3355.05, Building Lines in Community Scale Community Districts; for the property located at 2889 MORSE CROSSING (43219), to permit an office/commercial display building for model homes in the L-M, Limited Manufacturing District and CPD, Commercial Planned Development District. (4-1-02)
- 2856-99 To rezone 32 NORTH OHIO AVENUE (43203), being 0.72± acres located on the east side of North Ohio Avenue, 200± feet north of East Broad Street, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District. (4-1-02)
- 1593-00 To rezone 6300 BUSCH BOULEVARD, being 55.3± acres located on the east side of Busch Boulevard, 1050± feet north of Dublin-Granville Road, From: C-4, Commercial District, To: CPD, Commercial Planned Development and L-ARO, Limited Apartment Residential Districts. (4-1-02)
- 1998-00 To grant a Variance from the provisions of Sections 3332.037, R-2F Residential District Use; 3332.05, Area District Lot Width; 332.14, R-2F Area District Requirements; 3332.19, Fronting; 3332.25, Maximum Side Yards Required; 3332.26, Minimum Side Yard Permitted; 3332.27, Rear Yard; 3332.32, Combination of Lots or Portions Thereof; 3332.38, Private Garage; and 3342.28, Minimum Number of Parking Spaces Required for the property located at 456 SOUTH LANE (43206), to permit two single-family dwellings on lots with reduced development standards in the R-2F, Residential District. (4-1-02)
- 1999-00 To rezone 393 NORTON ROAD (43228), being 12.43± acres located at the southwest corner of Norton Road and Sullivant Avenue, From: C-2, Commercial and ARLD, Apartment Residential Districts, To: L-ARLD, Limited Apartment Residential District. (4-1-02)
- 0123-01 To rezone 6300 BUSCH BOULEVARD, being 26.93± acres located on the east side of Busch Boulevard, 1050± feet north of Dublin-Granville Road, From: C-4, Commercial District, To: L-ARO, Limited Apartment Residential District. (4-1-02)

THE CITY BULLETIN
Official Publication of the City of Columbus

Published weekly under authority of the City Charter and direction of the City Clerk. The Office of Publication is the City Clerk's Office, 90 W. Broad Street, Columbus, Ohio 43215. The City Bulletin contains the official report of the proceedings of council. The Bulletin also contains all ordinances and resolutions acted upon by council, civil service notices and announcements of examinations, advertisements for bids and requests for professional services, and details pertaining to official actions of all city departments.

Subscriptions by mail, \$164.00 a Year in advance.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF MONDAY, MARCH 25, 2002:**New Type: D2**

To: Blazin Wings Inc
DBA Buffalo Wild Wings Grill & Bar
110 Hutchinson Ave
Columbus, Ohio 43235

New Type: D3A

To: City Limits Café LLC
5610 Hall Road
Columbus, Ohio 43119

New Type: D3A

To: Hsiao Inc
DBA China First
4625 Maize Rd
Columbus, Ohio 43224

New Type: C1, C2

To: Portofina Inc
DBA Portofina Pizza
1764 Huey Road
Columbus, Ohio 43224

Stock Type: C1, C2

To: 480 West Town Street Inc
DBA Quick Pic Market
480 W Town St
Columbus, Ohio 43215

Transfer Type: C1, C2

To: Free Enterprises Inc
DBA Livingston & Hamilton Sunoco
4425 E. Livingston Ave
Columbus, Ohio 43227
From: Hawkstone Associates Inc
DBA Livingston & Hamilton Sunoco
4425 E Livingston Ave
Columbus, Ohio 43227

Transfer Type: C1, C2

To: Free Enterprises Inc
DBA Henderson Rd Sunoco
2122 W Henderson Rd
Columbus, Ohio 43220
From: Hawkstone Associates Inc
DBA Henderson Rd Sunoco
2122 W Henderson Rd
Columbus, Ohio 43220

Transfer Type: C1, C2

To: 900 E 5th Ave Inc
DBA Express Mart
900 E 5th Ave
Columbus, Ohio 43201
From: Al Nidda Inc
DBA Fifth Ave Convenient Market
900 E Fifth Ave
Columbus, Ohio 43201

Transfer Type: D1, D3

To: City Limits Café LLC
5610 Hall Rd
Columbus, Ohio 43119
From: Astro Coney Island Inc
747 N High St 1st Fl Unit B
Columbus, Ohio 43215

ORDINANCES**ORD NO. 2078-01**

To authorize the Director of the Department of Public Utilities to modify the contract with Malcolm Pirnie Inc., for Hoover Reservoir to Hap Cremean Water Plant Raw Water Line, for the Division of Water, and to authorize the expenditure of \$1,307,000.00 from the Waterworks Enlargement Voted 1991 Bonds Fund. (\$1,307,000.00)

WHEREAS, Contract No. CT-03694 was authorized by Ordinance No. 1187-81, passed June 8, 1981, was executed January 5, 1982, and approved by the City Attorney on January 19, 1932, and

WHEREAS, It is necessary to modify Contract No. CT-03694 to provide for additional Engineering Services for Hoover Reservoir to Hap Cremean Water Plant Raw Water Line, for the Division of Water, and

WHEREAS, This modification provides for an increase of \$1,307,000.00 to this contract, and

WHEREAS: it is necessary to authorize the Director of Public Utilities to modify Contract No. CT-03694, for Engineering Services for Hoover Reservoir to Hap Cremean Water Plant Raw Water Line, for the preservation of public health, peace, property and safety now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. The Director of Public Utilities be and is hereby authorized to modify contract No. CT-03694 with Malcolm Pirnie Inc., in the amount of \$1,307,000.00, for Engineering Services for Hoover Reservoir to Hap Cremean Water Plant Raw Water Line for the Division of Water, Department of Public Utilities, C.I.P. No. 265, Contract No. 660, terms and conditions of which are on file at the Office of the Division of Water.

Section 2. That for the purpose of paying the cost thereof, the expenditure of \$1,307,000.00 is hereby authorized from the Waterworks Enlargement Voted 1991 Bonds Fund, Fund No. 606, Department of Public Utilities, Division of Water Department/Division 60-09, Object Level Three 6623, Project No. 690265, OCA Code 690265.

Section 3. The City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the un-allocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project; that the project has been completed and the monies are no longer required for said project except that no transfer shall be so made from a project account funded by monies from more than one source.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 2105-01

To appropriate and authorize the City Auditor to transfer \$1,307,000.00 from the Water System Reserve Fund to the Waterworks Enlargement Voted 1991 Bonds Fund for the purpose of funding the Hoover Reservoir to Hap Cremean Water Plant Raw Water Line for the Division of Water, and to declare an emergency. (\$1,307,000.00)

WHEREAS, It is required in the usual daily operation of the Division of Water, Department of Public Utilities, to provide funding for the Hoover Reservoir to Hap Cremean Water Plant Raw Water Line, and

WHEREAS, The funding method for this expenditure is a temporary measure until such time as the City sells notes or bonds for the above stated purpose, and

WHEREAS, An emergency exists in the usual daily operation of the Division of Water, Department of Public Utilities in that it is immediately necessary to appropriate funds from the Water System Reserve Fund for the immediate preservation of public health, peace, property, safety and welfare; now, therefore,

WHEREAS: The aggregate principal amount of obligations which the City will issue to finance the project is presently expected not to exceed \$1,307,000.00, and

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That from the unappropriated monies in the Water System Reserve Fund 603, and from all monies estimated to come into said fund from any and all sources, and unappropriated for any other purpose during the fiscal year ending December 31, 2001, the sum of \$1,307,000.00 is hereby appropriated to the Division of Water, Department/Division Number 60-09, OCA Code 901561, Object Level Three 5502.

Section 2. That the City Auditor is hereby authorized to transfer said funds to the proper capital improvement subfund for Project No. 690265. Hoover Reservoir to Hap Cremean Water Plant Raw Water Line and to expend said funds or as much thereof as may be necessary.

Section 3. That \$1,307,000.00 is hereby appropriated for the Waterworks Enlargement Voted 1991 Bonds Fund, Fund No. 606, Department of Public Utilities, Division of Water, Dept./Div. No. 60-09, Object Level Three 6623, Project No. 690265, OCA Code 690265.

Section 4. That upon obtaining other funds for the purpose of funding water projects and allied facilities capital improvement work, the City Auditor is hereby authorized to repay the Water System Reserve Fund the amount of transferred funds under Section 2 above, and said funds are hereby deemed appropriated for such purpose.

Section 5. The City Auditor is authorized to make any accounting changes to revise the funding source for the contract associated with expenditure of the funds transferred under Section 2 above.

Section 6. The City intends that this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations promulgated pursuant to the Internal Revenue Code of 1986, as amended.

Section 7. That for the reasons stated in the preamble, hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after approval if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0358-02

To rezone 5452 THOMPSON ROAD (43230), being 461.8± acres located on the north and south side of Thompson Road. 2300±feet east of Hamilton Road. From: CPD. Commercial Planned Development, PUD-6 and PUD-4, Planned Unit Development R, Rural District. To: PUD-8. Planned Unit Development District.

WHEREAS, application #Z01-078 is on file with the Building Services Division of the Department of Development requesting rezoning of 461.8± acres from CPD. Commercial Planned Development, PUD-6 and PUD-4, Planned Unit Development R, Rural District, to PUD-8, Planned Unit Development District; and

WHEREAS, the Development Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the requested PUD-8, Planned Unit Development District would allow for conformance between the permitted uses and the zoning district. The PUD text includes use restrictions and development standards in consideration of the natural features of the site and the surrounding uses. This proposal established a slight reduction in density, now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Zoning Map attached to Ordinance No. 1620-77, passed September 19, 1977, and as subsequently amended be, and the same is hereby revised by changing the zoning of the property as follows:

5452 THOMPSON ROAD (43230), being 461.8± acres located on the north and south side of Thompson Road, 2300± feet east of Hamilton Road, and being more particularly described as follows:

SUBAREA 1: Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 3, Township 2, Range 16, United States Military Lands being described as follows:

Beginning, for reference, at the centerline intersection of Thompson Road with Hamilton Road;
 thence North 03°31'29" East, a distance of 1608.27 feet to a point;
 thence South 86°28'31" East, a distance of 2094.77 feet to the True Point of Beginning;
 thence South 87°00'00" East, a distance of 780.46 feet to a point;
 thence North 03°00'00" East, a distance of 637.15 feet to a point;
 thence southeasterly, with the arc of a curve to the right having a radius of 275.00 feet, a central angle of 48°38'33" and a chord that bears South 63°23'22" East, a chord distance of 226.52 feet to a point of reverse curvature;
 thence southeasterly, with the arc of said curve having a radius of 500.00 feet, a central angle 22°38'39" and a chord that bears South 50°23'25" East, a chord distance of 196.32 feet to a point of reverse curvature;
 thence southeasterly, with the arc of said curve having a radius of 350.00 feet, a central angle 34°49'41" and a chord that bears South 44°17'54" East, a chord distance of 209.49 feet to a point of reverse curvature;
 thence southeasterly, with the arc of said curve having a radius of 350.00 feet, a central angle 32°50'50" and a chord that bears South 43°18'29" East, a chord distance of 197.92 feet to a point;
 thence South 30°16'06" West, a distance of 145.00 feet to a point;
 thence South 64°45'05" East, a distance of 145.96 feet to a point;
 thence South 87°09'30" East, a distance of 125.03 feet to a point;
 thence South 02°50'30" West, a distance of 129.74 feet to a point;
 thence North 87°09'30" West, a distance of 125.00 feet to a point;
 thence South 02°50'30" West, a distance of 60.00 feet to a point;
 thence South 05°57'08" West, a distance of 113.16 feet to a point;
 thence South 17°11'30" West, a distance of 110.78 feet to a point;
 thence South 28°45'07" West, a distance of 110.78 feet to a point;
 thence South 39°42'34" West, a distance of 10.90 feet to a point;
 thence North 87°00'00" West, a distance of 1424.24 feet to a point;
 thence North 03°00'00" East, a distance of 552.28 feet to the True Point of Beginning and containing 25.82 acres of land, more or less.

To Rezone From: PUD-6, Planned Unit Development District.

To: PUD-8, Planned Unit Development District.

SUBAREA 2: Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 3, Township 2, Range 16, United States Military Lands, being described as follows:

Beginning, for reference, at the centerline intersection of Thompson Road with Hamilton Road:
 thence North 03°31'29" East, a distance of 2252.54 feet to a point;
 thence South 86°28'31" East, a distance of 2869.37 feet to the True Point of Beginning;
 thence North 03°00'00" East, a distance of 153.41 feet to a point;
 thence North 02°55'52" East, a distance of 756.26 feet to a point;
 thence North 03°23'29" East, a distance of 40.48 feet to a point;
 thence South 87°37'50" East, a distance of 437.46 feet to a point;
 thence South 41°53'00" West, a distance of 149.11 feet to a point;
 thence South 07°41'21" West, a distance of 269.27 feet to a point;
 thence South 01°26'06" East, a distance of 139.85 feet to a point;
 thence South 17°59'18" East, a distance of 168.30 feet to a point;
 thence South 34°32'31" East, a distance of 168.30 feet to a point;
 thence South 51°05'43" East, a distance of 168.30 feet to a point;
 thence South 67°38'55" East, a distance of 188.13 feet to a point;
 thence South 87°09'30" East, a distance of 245.18 feet to a point;
 thence South 02°50'30" West, a distance of 350.00 feet to a point;
 thence North 87°09'30" West, a distance of 35.00 feet to a point;
 thence South 02°50'30" West, a distance of 155.00 feet to a point;
 thence North 87°09'30" West, a distance of 196.72 feet to a point;
 thence North 02°50'30" East, a distance of 145.00 feet to a point;
 thence North 71°03'45" West, a distance of 113.67 feet to a point;
 thence North 38°48'33" West, a distance of 118.68 feet to a point;
 thence North 34°10'33" West, a distance of 130.61 feet to a point;
 thence North 54°15'18" West, a distance of 130.61 feet to a point;
 thence South 30°43'31" West, a distance of 144.46 feet to a point;
 thence northwesterly, with the arc of a curve to the right having a radius of 350.00 feet, a central angle of 02°26'15" and a chord that bears North 60°29'37" West, a chord distance of 14.89 feet to a point of reverse curvature;
 thence northwesterly, with the arc of said curve having a radius of 500.00 feet, a central angle of 22°38'39", and a chord that bears North 50°23'25" West, a chord distance of 196.32 feet to a point of reverse curvature;
 thence northwesterly, with the arc of a curve to the left having a radius of 275.00 feet, a central angle 48°38'33" and a chord that bears North 63°23'22" West, a chord distance of 226.52 feet to the true point beginning and containing 14.408 acres of land, more or less.

To Rezone From: PUD-4, Planned Unit Development District,

To: PUD-8, Planned Unit Development District.

SUBAREA 3: Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 3, Township 2, Range 16, United States Military Lands, described as follows:

Beginning, for reference, at the centerline intersection of Thompson Road with Hamilton Road;
 thence North 03°31'29" East, a distance of 3211.46 feet to a point;
 thence South 86°28'31" East, a distance of 3297.40 feet to the True Point of Beginning;
 thence, South 87°37'50" East, a distance of 63.99 feet to a point;
 thence South 87°38'33" East, a distance of 339.03 feet to a point;
 thence South 35°32'08" West, a distance of 141.81 feet to a point;
 thence southeasterly, with the arc of a curve to the right having a radius of 300.00 feet, a central angle of 57°18'23" and a chord that bears South 25°48'40" East, a chord distance of 287.70 feet to a point;
 thence South 02°50'30" West, a distance of 463.09 feet to a point;
 thence northwesterly, with the arc of a curve to the right having a radius of 435.00 feet, a central angle of 94°50'50" and a chord that bears North 39°44'04" West, a chord distance of 640.65 feet to a point;
 thence North 07°41'21" East, a distance of 151.75 feet to a point;
 thence northeasterly, with the arc of a curve to the right having a radius of 150.00 feet, a central angle of 44°55'27" and a chord that bears North 30°08'7" East, a chord distance of 114.62 feet to a point;
 thence North 39°13'54" West, a distance of 143.74 feet to the True Point of Beginning and containing 6.734 acres of land, more or less.

To Rezone From: PUD-4, Planned Unit Development District,

To: PUD-8, Planned Unit Development District.

SUBAREA 4: Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 3, Township 2, Range 16, United States Military Lands, being described as follows:

Beginning, for reference, at the centerline intersection of Thompson Road with Hamilton Road;
 thence North 03°31'29" East, a distance of 2415.91 feet to a point;
 thence South 86°28'31" East, a distance of 4221.31 feet to the True Point of Beginning;
 thence North 02°50'30" East, a distance of 462.56 feet to a point;
 thence northeasterly, with the arc of a curve to the left having a radius of 525.00 feet, a central angle 13°49'55" and a chord that bears North 80°54'59" East, a chord distance of 126.43 feet to a point;
 thence North 74°00'01" East, a distance of 180.13 feet to a point of curvature of a curve to the right;
 thence southeasterly, with the arc of said curve having a radius of 20.00 feet, a central angle 90°00'00" and a chord that bears South 60°59'59" East, a chord distance of 28.28 feet to a point of tangency;
 thence South 15°59'59" East, a distance of 5.16 feet to a point of curvature of a curve to the left;
 thence southeasterly, with the arc of said curve having a radius of 725.00 feet, a central angle 21°33'59" and a chord that bears South 26°46'58" East, a chord distance of 271.28 feet to a point;
 thence South 31°19'20" East, a distance of 26.27 feet to a point;
 thence South 36°55'27" East, a distance of 107.70 feet to a point;
 thence South 77°13'50" East, a distance of 36.95 feet to a point;
 thence North 67°14'48" East, a distance of 177.11 feet to a point;
 thence South 24°38'32" East, a distance of 85.88 feet to a point;
 thence South 24°24'58" East, a distance of 182.65 feet to a point;
 thence southwesterly, with the arc of a curve to the right having a radius of 175.00 feet, a central angle of 28°01'052" and a chord that bears South 78°45'05" West, a chord distance of 85.21 feet to a point;
 thence North 87°09'30" West, a distance of 775.75 feet to the True Point of Beginning and containing 6.73 acres of land, more or less.

To Rezone From: PUD-4, Planned Unit Development District,

To: PUD-8, Planned Unit Development District.

SUBAREA 5: Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 3, Township 2, Range 16, United States Military Lands being described as follows:

Beginning, for reference, at the centerline intersection of Thompson Road with Hamilton Road;
 thence, North 03°31'29" East, a distance of 899.51 feet to a point;
 thence South 86°28'31" East, a distance of 3642.52 feet to the True Point of Beginning;
 thence, northwesterly, with the arc of a curve to the right having a radius of 50.00 feet, a central angle of 52°17'52" and a chord that bears North 46°09'04" West, a chord distance of 44.07 feet to a point;
 thence northeasterly, with the arc of a curve to the left having a radius of 700.00 feet, a central angle 12°13'38" and a chord that bears North 35°38'28" East, a chord distance of 149.10 feet to a point;
 thence South 60°28'21" East, a distance of 155.48 feet to a point;
 thence North 22°39'00" East, a distance of 204.88 feet to a point;
 thence North 08°53'43" East, a distance of 153.80 feet to a point;
 thence North 02°50'30" East, a distance of 379.27 feet to a point;
 thence South 87°09'30" East, a distance of 99.75 feet to a point;
 thence South 02°50'30" West, a distance of 120.00 feet to a point;
 thence South 87°09'30" East, a distance of 235.00 feet to a point;
 thence South 02°50'30" West, a distance of 295.00 feet to a point;
 thence South 87°09'30" East, a distance of 379.30 feet to a point;
 thence South 67°47'04" West, a distance of 888.36 feet to a point;
 thence South 87°07'36" West, a distance of 182.29 feet to True Point of Beginning and containing 6.112 acres of land, more or less.

To Rezone From: PUD-4, Planned Unit Development District,

To: PUD-8, Planned Unit Development District.

SUBAREA 6: Situated in the State of Ohio, County of Franklin, City of Columbus, Section 3, Township 2, Range 16, United States Military Lands, being described as follows:

Beginning, for reference, at the centerline intersection of Thompson Road with Hamilton Road;
 thence North 03°31'29" East, a distance of 985.08 feet to a point;
 thence South 86°28'31" East, a distance of 3462.58 feet to the True Point of Beginning ;
 thence North 39°42'34" East, a distance of 114.96 feet to a point;
 thence North 28°45'07" East, a distance of 110.78 feet to a point;
 thence North 17°11'30" East, a distance of 110.78 feet to a point;

thence North 05°57'08" East, a distance of 113.16 feet to a point;
 thence North 02°50'30" East, a distance of 60.00 feet to a point;
 thence South 87°09'30" East, a distance of 125.00 feet to a point;
 thence North 02°50'30" East, a distance of 129.74 feet to a point;
 thence North 87°09'30" West, a distance of 125.03 feet to a point;
 thence North 64°45'05" West, a distance of 145.96 feet to a point;
 thence North 30°16'06" East, a distance of 145.00 feet to a point;
 thence northwesterly, with the arc of a curve to the right having a radius of 350.00 feet, a central angle of 32°50'50" and a chord that bears
 North 43°18'29" West, a chord distance of 197.92 feet to a point;
 thence northwesterly, with the arc of a curve to the left having a radius of 350.00 feet, a central angle of 32°23'26" and a chord that bears
 North 43°04'46" West, a chord distance of 195.24 feet to a point;
 thence North 30°43'31" East, a distance of 145.00 feet to a point;
 thence South 54°15'18" East, a distance of 130.61 feet to a point;
 thence South 34°10'33" East, a distance of 130.61 feet to a point;
 thence South 38°48'33" East, a distance of 118.68 feet to a point;
 thence South 71°03'45" East, a distance of 113.67 feet to a point;
 thence South 02°50'30" West, a distance of 145.00 feet to a point;
 thence South 87°09'30" East, a distance of 196.72 feet to a point;
 thence North 02°50'30" East, a distance of 155.00 feet to a point;
 thence South 87°09'30" East, a distance of 35.00 feet to a point;
 thence North 02°50'30" East, a distance of 350.00 feet to a point;
 thence North 87°09'30" West, a distance of 245.18 feet to a point;
 thence North 67°38'55" West, a distance of 188.13 feet to a point;
 thence North 51°05'43" West, a distance of 168.30 feet to a point;
 thence North 34°32'31" West, a distance of 168.30 feet to a point;
 thence North 17°59'18" West, a distance of 168.30 feet to a point;
 thence North 01°26'06" West, a distance of 139.85 feet to a point;
 thence North 07°41'21" East, a distance of 269.27 feet to a point;
 thence North 41°53'00" East, a distance of 149.11 feet to a point;
 thence South 39°13'54" East, a distance of 143.74 feet to a point;
 thence southwestwardly, with the arc of a curve to the left having a radius of 150.00 feet, a central angle of 44°55'27" and a chord that bears
 South 30°08'57" West, a chord distance of 114.62 feet to a point;
 thence South 07°41'21a West, a distance of 151.75 feet to a point;
 thence southeasterly, with the arc of a curve to the left having a radius of 435.00 feet, a central angle of 94°50'50" and a chord that bears
 South 39°44'04" East, a chord distance of 640.65 feet to a point;
 thence North 02°50'30" East, a distance of 463.09 feet to a point;
 thence northwesterly, with the arc of a curve to the left having a radius of 300.00 feet, a central angle of 57°18'23" and a chord that bears
 North 25°48'40" West, a chord distance of 287.70 feet to a point;
 thence North 35°32'08" East, a distance of 141.81 feet to a point;
 thence South 87°38'33" East, a distance of 1474.39 feet to a point;
 thence South 09°42'59" East, a distance of 1065.40 feet to a point;
 thence South 08°56'33" East, a distance of 484.90 feet to a point;
 thence South 67°47'04" West, a distance of 998.30 feet to a point;
 thence North 87°09'30" West, a distance of 379.30 feet to a point;
 thence North 02°50'30" East, a distance of 295.00 feet to a point;
 thence North 87°09'30" West, a distance of 235.00 feet to a point;
 thence North 02°50'30" East, a distance of 120.00 feet to a point;
 thence North 87°09'30" West, a distance of 99.75 feet to a point;
 thence South 02°50'30" West, a distance of 379.27 feet to a point;
 thence South 08°53'43" West, a distance of 153.80 feet to a point;
 thence South 22°39'00" West, a distance of 204.88 feet to a point;
 thence North 60°28'21" West, a distance of 155.48 feet to a point;
 thence southwestwardly, with the arc of a curve to the right having a radius of 700.00 feet, a central angle of 12°13'38" and a chord that
 bears South 35°38'28" West, a chord distance of 149.10 feet to a point;
 thence southeastwardly, with the arc of a curve to the left having a radius of 50.00 feet, a central angle of 52°17'52" and a chord that bears
 South 46°09'04" East, a chord distance of 44.07 feet to a point;
 thence South 87°07'36" West, a distance of 96.50 feet to a point;
 thence North 40°19'36" East, a distance of 25.67 feet to a point;
 thence North 49°09'38" West, a distance of 125.00 feet to the True Point of Beginning and containing 73.51 acres of land, more or less. Less
 and excepting the following
 Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 3, Township 2, Range 16, United States Military
 Lands, being described as follows:
 Beginning, for reference, at the centerline intersection of Thompson Road with Hamilton Road;
 thence, North 03°31'29" East, a distance of 2415.91 feet to a point;
 thence South 86°28'31" East, a distance of 4221.31 feet to the True Point of Beginning;
 thence, North 02°50'30" East, a distance of 462.56 feet to a point;
 thence northeasterly, with the arc of a curve to the left having a radius of 525.00 feet, a central angle of 13°49'55" and a chord that bears
 North 80°54'59" East, a chord distance of 126.43 feet to a point;
 thence North 74°00'01" East, a distance of 180.13 feet to a point of curvature of a curve to the right;
 thence southeasterly, with the arc of said curve having a radius of 20.00 feet, a central angle of 90°00'00" and a chord that bears South
 60°59'59" East, a chord distance of 28.28 feet to a point of tangency
 thence South 15°59'59" East, a distance of 5.16 feet to a point of curvature of a curve to the left;
 thence southeasterly, with the arc of said curve having a radius of 725.00 feet, a central angle of 21°33'59" and a chord that bears South
 26°46'58" East, a chord distance of 271.28 feet to a point;

thence South 31°19'20" East, a distance of 26.27 feet to a point;
 thence South 36°55'27" East, a distance of 107.70 feet to a point;
 thence South 77°13'50" East, a distance of 36.95 feet to a point;
 thence North 67°14'48" East, a distance of 177.11 feet to a point;
 thence South 24°38'32" East, a distance of 85.88 feet to a point;
 thence South 24°24'58" East, a distance of 182.65 feet to a point;
 thence southwesterly, with the arc of a curve to the right having a radius of 175.00 feet, a central angle of 28°10'52" and a chord that bears
 South 78°45'05" West, a chord distance of 85.21 feet to a point;
 thence North 87°09'30" West, a distance of 775.75 feet to the True Point of Beginning and containing 6.73 acres of land, more or less.

To Rezone From: PUD-4, Planned Unit Development District,

To: PUD-8, Planned Unit Development District.

SUBAREA 7: Situated in the State of Ohio, County of Franklin, City of Columbus, Section 3, Township 2, Range 16. United States Military Lands and described as follows:

Beginning for reference at the centerline intersection of Thompson Road with Hamilton Road;
 thence North 3° 31' 29" East with the centerline of said Hamilton Road, a distance of 3256.83 feet to a point;
 thence South 86° 28' 31" East, a distance of 5207.55 feet to the true point of beginning for this description;
 thence South 87° 34' 26" East, a distance of 386.95 feet to a point;
 thence South 86° 37' 54" East, a distance of 336.93 feet to a point;
 thence South 5° 39' 16" East, a distance of 277.15 feet to a point;
 thence South 24° 49' 42" East, a distance of 405.46 feet to a point;
 thence South 42° 28' 31" East, a distance of 607.38 feet to a point;
 thence South 17° 00' 29" East, a distance of 105.65 feet to a point;
 thence South 4° 46' 07" West, a distance of 291.78 feet to a point;
 thence South 30° 14' 16" West, a distance of 101.49 feet to a point;
 thence South 87° 49' 11" West, a distance of 141.44 feet to a point;
 thence South 54° 43' 58" West, a distance of 143.25 feet to a point;
 thence South 8° 14' 36" West, a distance of 214.29 feet to a point;
 thence South 51° 05' 59" West, a distance of 154.66 feet to a point;
 thence South 72° 23' 17" West, a distance of 80.27 feet to a point;
 thence South 22° 27' 13" West, a distance of 73.47 feet to a point;
 thence South 27° 28' 50" East, a distance of 172.56 feet to a point;
 thence South 5° 47' 00" West, a distance of 69.11 feet to a point;
 thence South 39° 02' 50" West, a distance of 133.71 feet to a point;
 thence South 15° 53' 32" West, a distance of 146.28 feet to a point;
 thence South 7° 15' 45" East, a distance of 256.42 feet to a point;
 thence South 18° 24' 09" East, a distance of 214.56 feet to a point;
 thence South 10° 06' 01" West, a distance of 213.64 feet to a point;
 thence South 41° 26' 42" West, a distance of 292.29 feet to a point;
 thence South 33° 38' 20" West, a distance of 382.56 feet to a point;
 thence South 0° 19' 14" East, a distance of 119.88 feet to a point;
 thence South 57° 37' 43" East, a distance of 119.88 feet to a point;
 thence North 86° 16' 57" West, a distance of 326.08 feet to a point;
 thence North 26° 04' 29" East, a distance of 120.40 feet to a point;
 thence North 25° 40' 03" East, a distance of 366.57 feet to a point;
 thence North 38° 09' 31" East, a distance of 155.79 feet to a point;
 thence North 66° 27' 58" East, a distance of 100.52 feet to a point;
 thence North 33° 46' 36" East, a distance of 72.42 feet to a point;
 thence North 80° 31' 39" West, a distance of 189.32 feet to a point;
 thence North 4° 18' 13" East, a distance of 168.52 feet to a point;
 thence North 37° 24' 35" East, a distance of 228.35 feet to a point;
 thence North 5° 51' 00" West, a distance of 324.05 feet to a point;
 thence North 7° 31' 12" East, a distance of 368.18 feet to a point;
 thence North 29° 35' 14" West, a distance of 574.39 feet to a point;
 thence North 8° 56' 33" West, a distance of 640.47 feet to a point;
 thence North 9° 42' 59" West, a distance of 1065.40 feet to the True Point of Beginning and containing 49.90 acres of land, more or less.

To Rezone From: PUD-4, Planned Unit Development District,

To: PUD-8, Planned Unit Development District.

SUBAREA 8: Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 3, Township 2, Range 16, United States Military Lands and described as follows:

Beginning, for reference, at the centerline intersection of Thompson Road with Hamilton Road;
 thence, North 03°31'29" East, a distance of 985.08 feet to a point;
 thence South 86°28'31" East, a distance of 3462.59 feet to the True Point of Beginning;
 thence South 49°09'38" West, a distance of 125.00 feet to a point;
 thence South 40°19'36" West, a distance of 25.67 feet to a point;
 thence South 87°07'36" East, a distance of 278.79 feet to a point;
 thence North 67°47'04" East, a distance of 1886.66 feet to a point;
 thence South 08°56'33" East, a distance of 155.52 feet to a point;
 thence South 29°35'14" East, a distance of 574.39 feet to a point;
 thence South 07°31'12" West, a distance of 368.18 feet to a point;
 thence South 05°51'00" East, a distance of 324.04 feet to a point;
 thence South 37°24'35" West, a distance of 228.35 feet to a point;
 thence South 04°18'13" West, a distance of 168.52 feet to a point in the centerline of said Thompson Road.
 thence North 87°00'00" West, with said centerline, a distance of 250.91 feet to a point;
 thence North 86°48'14" West, with said centerline, a distance of 1275.26 feet to a point;

thence North 03°17'15" East, a distance of 450.21 feet to a point;
 thence North 87°00'00" West, a distance of 382.56 feet to a point;
 thence South 03°17'15" West, a distance of 448.89 feet to a point in the centerline of said Thompson Road;
 thence North 86°48'08" West, with said centerline, a distance of 417.84 feet to a point;
 thence North 04°02'09" East, a distance of 957.94 feet to the True Point of Beginning and containing 64.36 acres of land, more or less.

To Rezone From: CPD, Commercial Planned Development and PUD-4, Planned Unit Development Districts,

To: PUD-8, Planned Unit Development District.

SUBAREA 9: Situated in the State of Ohio, County of Franklin, City of Columbus, Section 3, Township 2, Range 16, United States Military Lands and described as follows:

Beginning for reference at the centerline intersection of Thompson Road with Hamilton Road;
 thence South 3° 06' 24" West with the centerline of said Hamilton Road, a distance of 1531.60 feet to point;
 thence South 86° 53' 36" East, a distance of 4210.12 feet to the true point of beginning for the description;
 thence North 2° 54' 16" East, a distance of 989.92 feet to a point;
 thence South 87° 00' 00" East, a distance of 694.80 feet to a point;
 thence North 3° 29' 52" East, a distance of 577.46 feet to a point in the centerline of said Thompson Road;
 thence with said centerline the following courses:
 South 86° 48' 14" East, a distance of 650.10 feet to a point;
 South 87° 00' 00" East, a distance of 250.91 feet to a point;
 South 80° 31' 39" East, a distance of 189.32 feet to a point;
 thence South 33° 46' 36" West, a distance of 72.42 feet to a point;
 thence South 66° 27' 58" West, a distance of 100.52 feet to a point;
 thence South 38° 09' 31" West, a distance of 155.79 feet to a point;
 thence South 25° 40' 03" West, a distance of 366.57 feet to a point;
 thence South 26° 04' 29" West, a distance of 120.40 feet to a point;
 thence South 3° 28' 33" West, a distance of 869.38 feet to a point;
 thence North 86° 40' 10" West, a distance of 1140.02 feet to a point;
 thence North 86° 23' 25" West, a distance of 234.92 feet to the true point of beginning and containing 43.29 acres of land, more or less.

To Rezone From: PUD-4, Planned Unit Development District,

To: PUD-8, Planned Unit Development District.

SUBAREA 10: Situated in the State of Ohio, County of Franklin, City of Columbus, Section 3, Township 2, Range 16, United States Military Lands and described as follows:

Beginning for reference at the centerline intersection of Thompson Road with Hamilton Road;
 thence South 3° 06' 24" West with the centerline of said Hamilton Road, a distance of 573.72 feet to a point;
 thence South 86° 53' 36" East, a distance of 3468.89 feet to the true point of beginning for this description;
 thence South 87° 00' 00" East, a distance of 726.46 feet to a point;
 thence South 2° 54' 16" West, a distance of 989.92 feet to a point;
 thence North 87° 00' 00" West, a distance of 714.91 feet to a point;
 thence North 00° 18' 03" East, a distance of 239.93 feet to a point;
 thence North 2° 50' 12" East, a distance of 752.66 feet to the true point of beginning and containing 16.47 acres of land, more or less.

To Rezone From: PUD-4, Planned Unit Development District,

To: PUD-8, Planned Unit Development District.

SUBAREA 11: Situated in the State of Ohio, County of Franklin, City of Columbus, Section 3, Township 2, Range 16, United States Military Lands and described as follows:

Beginning at the centerline intersection of Thompson Road with Hamilton Road;
 thence South 3° 06' 24" West with the centerline of said Hamilton Road, a distance of 1561.84 feet to a point;
 thence South 86° 53' 36" East, a distance of 2486.47 feet to the true point of beginning for this description;
 thence North 3° 00' 00" East, a distance of 824.20 feet to a point;
 thence South 86° 46' 21" East, a distance of 291.49 feet to a point;
 thence North 2° 26' 43" East, a distance of 162.61 feet to a point;
 thence South 87° 00' 00" East, a distance of 694.33 feet to a point;
 thence South 2° 50' 12" West, a distance of 752.66 feet to a point;
 thence South 0° 18' 03" West, a distance of 239.93 feet to a point;
 thence North 86° 45' 39" West, a distance of 997.44 feet to the true point of beginning and containing 21.30 acres of land, more or less.

To Rezone From: PUD-4, Planned Unit Development District,

To: PUD-8, Planned Unit Development District.

SUBAREA 12: Situated in the State of Ohio, County of Franklin, City of Columbus, Section 3, Township 2, Range 16, United States Military Lands and described as follows:

Beginning for reference at the centerline intersection of Thompson Road with Hamilton Road;
 thence South 3° 06' 24" West with the centerline of said Hamilton Road, a distance of 2519.49 feet to a point;
 thence South 86° 53' 36" East, a distance of 2488.26 feet to the true point of beginning for this description;
 thence North 3° 00' 00" East, a distance of 958.31 feet to a point;
 thence South 86° 45' 39" East, a distance of 997.44 feet to a point;
 thence South 2° 57' 25" East, a distance of 969.51 feet to a point;
 thence South 2° 23' 13" West, a distance of 839.70 feet to a point in the centerline of Morse Road;
 thence North 86° 41' 06" West with said centerline, a distance of 436.22 feet to a point;
 thence North 03° 03' 36" East, a distance of 842.17 feet to a point;
 thence North 86° 20' 24" West, a distance of 671.54 feet to the true point of beginning and containing 27.79 acres of land, more or less.

To Rezone From: PUD-4, Planned Unit Development and R, Rural Districts,

To: PUD-8, Planned Unit Development District.

SUBAREA 13: Situated in the State of Ohio, County of Franklin, City of Columbus, Section 3, Township 2, Range 16, United States Military Lands and described as follows:

Beginning for reference at the centerline intersection of Thompson Road with Hamilton Road;
 thence South 3° 06' 24" West with the centerline of said Hamilton Road, a distance of 1563.49 feet to a point;

thence South 86° 53' 36" East, a distance of 3514.09 feet to the true point of beginning for this description;
 thence South 87° 00' 00" East, a distance of 609.83 feet to a point;
 thence South 3° 34' 28" West, a distance of 1807.81 feet to a point in the centerline of Morse Road;
 thence North 86° 41' 06" West with said centerline, a distance of 482.32 feet to a point;
 thence North 2° 23' 13" East, a distance of 839.70 feet to a point;
 thence North 2° 57' 25" West, a distance of 969.51 feet to the true point of beginning and containing 21.78 acres of land, more or less.

To Rezone From: PUD-4, Planned Unit Development District,
 To: PUD-8, Planned Unit Development District.

SUBAREA 14: Situated in the State of Ohio, County of Franklin, City of Columbus. Section 3, Township 2, Range 16, United States Military Lands and described as follows:

Beginning for reference at the centerline intersection of Thompson Road with Hamilton Road;
 thence South 3° 06' 24" West with the centerline of said Hamilton Road, a distance of 1563.74 feet to a point;
 thence South 86° 53' 36" East, a distance of 4433.74 feet to the true point of beginning for this description;
 thence South 86° 40' 10" East, a distance of 562.71 feet to a point;
 thence South 02° 12' 11" West, a distance of 987.47 feet to a point;
 thence South 86° 44' 44" East, a distance 240.74 feet to a point;
 thence South 03° 44' 11" West, a distance of 822.03 feet to a point in the centerline of Morse Road;
 thence North 86° 46' 23" West with said centerline, a distance of 824.77 feet to a point;
 thence North 3° 34' 28" East, a distance of 1810.47 feet to the true point of beginning and containing 28.62 acres of land, more or less.

To Rezone From: PUD-4, Planned Unit Development District.
 To: PUD-8, Planned Unit Development District

SUBAREA 15: Situated in the State of Ohio, County of Franklin, City of Columbus. Section 3, Township 2, Range 16, United States Military Lands and described as follows:

Beginning for reference at the centerline intersection of Thompson Road with Hamilton Road;
 thence North 3° 31' 29" East with the centerline of said Hamilton Road, a distance of 1608.61 feet to a point;
 thence South 86° 28' 31" East, a distance of 1408.81 feet to the true point of beginning for this description;
 thence South 87° 00' 00" East, a distance of 700.00 feet to a point;
 thence South 3° 00' 00" West, a distance of 1589.78 feet to a point in the centerline of said Thompson Road;
 thence North 87° 00' 00" West, with said centerline, a distance of 713.17 feet to a point;
 thence North 3° 28' 51" East, a distance of 1569.83 feet to the true point of beginning and containing 25.80 acres of land, more or less.

To Rezone From: PUD-6, Planned Unit Development District.
 To: PUD-8, Planned Unit Development District.

SUBAREA 16: Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 3, Township 2, Range 16, United States Military Lands and described as follows:

Beginning, for reference, at the centerline intersection of Thompson Road with Hamilton Road;
 thence North 03°31'29" East, with the centerline of said Hamilton Road, a distance of 1062.77 feet to a point;
 thence South 86°28'31" East, a distance of 2113.84 feet to the True Point of Beginning for this description;
 thence South 87°00'00" East, a distance of 1424.24 feet to a point;
 thence South 39°42'34" West, a distance of 104.06 feet to a point;
 thence South 04°02'09" West, a distance of 957.94 feet to a point in the centerline of said Thompson Road;
 thence North 86°50'32" West, with said centerline, a distance of 1344.72 feet to a point;
 thence North 03°00'00" East, a distance of 1037.50 feet to the True Point of Beginning and containing 32.37 acres of land, more or less.

To Rezone From: CPD, Commercial Planned Development and PUD-4, Planned Unit Development Districts,
 To: PUD-8, Planned Unit Development District.

Section 2. That a Height District of Sixty (60) feet is hereby established on the PUD-8, Planned Unit Development District on this property.

Section 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved PUD-8, Planned Unit Development District and Application among the records of the Building Services Division as required by Section 3311.09 of the Columbus City Codes; said plan being titled, "THE PRESERVE DISTRICT MASTER PLAN", and text titled, "THE PRESERVE DEVELOPMENT TEXT"; signed by Jeffrey L. Brown, Attorney for the Applicant, dated February 25, 2002, and reading as follows:

THE PRESERVE DEVELOPMENT TEXT

PROPOSED DISTRICTS: PUD-8
 PROPERTY ADDRESS: 5452 Thompson Road
 OWNER: The New Albany Company
 APPLICANT: Same as owner
 DATE OF TEXT: 2/25/02
 APPLICATION: Z01-078

1. INTRODUCTION: In 1999 The New Albany Company rezoned nearly one thousand acres for a mixture of open space, residential and commercial uses. Revisions are necessary to a portion of that development as the applicant evaluates market conditions and engineering issues as the area has developed.

SUBAREA 1 - 25.8+/- ACRES (PUD-8)

The site is located north of Thompson Road.

2. PERMITTED USES: The following uses shall be permitted within Subarea 1: public street, wooded preserve, public and private utilities, walking/hiking paths, playground equipment, similar and support uses for the aforesaid.

3. DEVELOPMENT STANDARDS: Except as otherwise noted above and herein, the applicable development standards of Chapter 3332, (SR, Suburban Residential District) shall apply to Subarea 1.

- A. Density, Height, Lot and/or Setback Commitments: N/A
- B. Access, Loading, Parking and/or Traffic Related Commitments:
Walking/hiking paths shall be installed throughout this subarea.
- C. Buffering, Landscaping, Open Space and/or Screening Commitments: N/A
- D. Building Design, and/or Interior-Exterior Treatment Commitments: N/A
- E. Dumpsters, Lighting, Outdoor Display Areas and/or other Environmental Commitments: N/A

F. Miscellaneous Commitments

1. This subarea shall be dedicated to the City of Columbus as a park. Such dedication shall count toward the required park dedication for the entire 464+/- acre site the subject of this rezoning application. This park land shall also count toward the park land dedication required for land contained within rezoning Z98-059 approved by City Council by Ordinance No. 931-99, passed May 10, 1999.

2. The following restrictions and agreements shall apply to the subarea and the deed transferring this subarea to the City shall contain deed restrictions requiring the following:

a. This subarea shall be maintained as a wooded preserve and only dead or dying trees shall be removed in keeping with good forestry management practices except that trees may be removed necessary for the installation of the permitted uses.

b. Playground equipment and other permitted uses may be placed in the subarea but no football, soccer, baseball, basketball or other fields or grounds shall be constructed in the subarea and no organized sports activities shall be allowed in the subarea.

c. The deed restriction shall run to the grantor, and to any owner of real property within three (300) hundred feet of the perimeter of the subarea. If the City desires to change the requirements of the deed restrictions it must obtain in writing approval of the grantor and seventy-five percent ((75%) of the properties to whom the restrictions run.

SUBAREA 2 - 14.4+/- ACRES (PUD-8)

The site is located north of Thompson Road.

2. PERMITTED USES: The following uses shall be permitted within Subarea 2: public street, wooded preserve, a roadway, public and private utilities, walking/hiking paths, similar and support uses for the aforesaid.

3. DEVELOPMENT STANDARDS: Except as otherwise noted above and herein, the applicable development standards of Chapter 3332. (SR, Suburban Residential Districts) shall apply to Subarea 2.

A. Density. Height. Lot and/or Setback Commitments: N/A

B. Access. Loading. Parking and/or Traffic Related Commitments

Walking/hiking paths shall be installed throughout this subarea.

C. Buffering. Landscaping. Open Space and/or Screening Commitments: N/A

D. Building Design, and/or Interior-Exterior Treatment Commitments: N/A

E. Dumpsters. Lighting, Outdoor Display Areas and/or other Environmental Commitments: N/A

F. Miscellaneous Commitments

1. This subarea shall be dedicated to the City of Columbus as a park. Such dedication shall count toward the required park dedication for the entire 464+/- acre site the subject of this rezoning application. This park land shall also count toward the park land dedication required for land contained within rezoning Z98-059 approved by City Council by Ordinance No. 931-99, passed May 10, 1999.

2. The following restrictions and agreements shall apply to the subarea and the deed transferring this subarea to the City shall contain deed restrictions requiring the following:

a. This subarea shall be maintained as a wooded preserve and only dead or dying trees shall be removed in keeping with good forestry management practices except that trees may be removed necessary for the installation of the permitted uses.

b. Playground equipment and other permitted uses may be placed in the subarea but no football, soccer, baseball, basketball or other fields or grounds shall be constructed in the subarea and no organized sports activities shall be allowed in the subarea.

c. The deed restriction shall run to the grantor, and to any owner of real property within three (300) hundred feet of the perimeter of the subarea. If the City desires to change the requirements of the deed restrictions it must obtain in writing approval of the grantor and seventy-five percent (75%) of the properties to whom the restrictions run.

SUBAREA 3 - 6.7+/- ACRES (PUD-8)

The site is located north of Thompson Road.

2. PERMITTED USES: The following uses shall be permitted within Subarea 3: public street, wooded preserve, a roadway, public and private utilities, walking/hiking paths, playground equipment, similar and support uses for the aforesaid.

3. DEVELOPMENT STANDARDS: Except as otherwise noted above and herein, the applicable development standards of Chapter 3332. (SR, Suburban Residential Districts) shall apply to Subarea 3.

A. Density. Height. Lot and/or Setback Commitments: N/A

B. Access. Loading. Parking and/or Traffic Related Commitments

Walking/hiking paths shall be installed throughout this subarea.

C. Buffering. Landscaping. Open Space and/or Screening Commitments: N/A

D. Building Design, and/or Interior-Exterior Treatment Commitments: N/A

E. Dumpsters, Lighting, Outdoor Display Areas and/or other Environmental Commitments: N/A

F. Miscellaneous Commitments

1. This subarea shall be dedicated to the City of Columbus as a park. Such dedication shall count toward the required park dedication for the entire 464+/- acre site the subject of this rezoning application. This park land shall also count toward the park land dedication required for land contained within rezoning Z98-059 approved by City Council by Ordinance No. 931-99, passed May 10, 1999.

2. The following restrictions and agreements shall apply to the subarea and the deed transferring this subarea to the City shall contain deed restrictions requiring the following:

a. This subarea shall be maintained as a wooded preserve and only dead or dying trees shall be removed in keeping with good forestry management practices except that trees may be removed necessary for the installation of the permitted uses.

b. Playground equipment and other permitted uses may be placed in the subarea but no football, soccer, baseball, basketball or other fields or grounds shall be constructed in the subarea and no organized sports activities shall be allowed in the subarea.

c. The deed restriction shall run to the grantor, and to any owner of real property within three (300) hundred feet of the perimeter of the subarea. If the City desires to change the requirements of the deed restrictions it must obtain in writing approval of the grantor and seventy-five percent (75%) of the properties to whom the restrictions run.

SUBAREA 4 - 6.7+/- ACRES (PUD-8)

The site is located north of Thompson Road.

2. PERMITTED USES: The following uses shall be permitted within Subarea 4: public street: wooded preserve, public and private utilities, walking/hiking paths, playground equipment, similar and support uses for the aforesaid.

3. DEVELOPMENT STANDARDS: Except as otherwise noted above and herein, the applicable development standards of Chapter 3332, (SR, Suburban Residential District) shall apply to Subarea 4.

- A. Density. Height, Lot and/or Setback Commitments: N/A
- B. Access. Loading. Parking and/or Traffic Related Commitments
Walking/hiking paths shall be installed throughout this subarea.
- C. Buffering, Landscaping. Open Space and/or Screening Commitments: N/A
- D. Building Design, and/or Interior-Exterior Treatment Commitments: N/A
- E. Dumpsters, Lighting, Outdoor Display Areas and/or other Environmental Commitments: N/A
- F. Miscellaneous Commitments

1. This subarea shall be dedicated to the City of Columbus as a park. Such dedication shall count toward the required park dedication for the entire 464+/- acre site the subject of this rezoning application. This park land shall also count toward the park land dedication required for land contained within rezoning Z98-059 approved by City Council by Ordinance No. 931-99, passed May 10, 1999.

2. The following restrictions and agreements shall apply to the subarea and the deed transferring this subarea to the City shall contain deed restrictions requiring the following:

a. This subarea shall be maintained as a wooded preserve and only dead or dying trees shall be removed in keeping with good forestry management practices except that trees may be removed necessary for the installation of the permitted uses.

b. Playground equipment and other permitted uses may be placed in the subarea but no football, soccer, baseball, basketball or other fields or grounds shall be constructed in the subarea and no organized sports activities shall be allowed in the subarea.

c. The deed restriction shall run to the grantor, and to any owner of real property within three (300) hundred feet of the perimeter of the subarea. If the City desires to change the requirements of the deed restrictions it must obtain in writing approval of the grantor and seventy-five percent (75%) of the properties to whom the restrictions run.

SUBAREA 5 - 6.1+/- ACRES (PUD-8)

The site is located north of Thompson Road.

2. PERMITTED USES: The following uses shall be permitted within Subarea 5: public street, wooded preserve, a roadway, public and private utilities, walking/hiking paths, playground equipment, similar and support uses for the aforesaid.

3. DEVELOPMENT STANDARDS: Except as otherwise noted above and herein, the applicable development standards of Chapter 3332, (SR, Suburban Residential Districts) shall apply to Subarea 5.

- A. Density. Height, Lot and/or Setback Commitments: N/A
- B. Access. Loading. Parking and/or Traffic Related Commitments
Walking/hiking paths shall be installed throughout this subarea.
- C. Buffering, Landscaping. Open Space and/or Screening Commitments: N/A
- D. Building Design, and/or Interior-Exterior Treatment Commitments: N/A
- E. Dumpsters, Lighting, Outdoor Display Areas and/or other Environmental Commitments: N/A
- F. Miscellaneous Commitments

1. This subarea shall be dedicated to the City of Columbus as a park. Such dedication shall count toward the required park dedication for the entire 464+/- acre site the subject of this rezoning application. This park land shall also count toward the park land dedication required for land contained within rezoning Z98-059 approved by City Council by Ordinance No. 931-99, passed May 10, 1999.

2. The following restrictions and agreements shall apply to the subarea and the deed transferring this subarea to the City shall contain deed restrictions requiring the following:

a. This subarea shall be maintained as a wooded preserve and only dead or dying trees shall be removed in keeping with good forestry management practices

b. Playground equipment and other permitted uses may be placed in the subarea but no football, soccer, baseball, basketball or other fields or grounds shall be constructed in the subarea and no organized sports activities shall be allowed in the subarea.

c. The deed restriction shall run to the grantor, and to any owner of real property within three (300) hundred feet of the perimeter of the subarea. If the City desires to change the requirements of the deed restrictions it must obtain in writing approval of the grantor and seventy-five percent (75%) of the properties to whom the restrictions run.

SUBAREA 6 - 73.1+/- ACRES (PUD-8)

The site is located in the northeast corner of the property.

2. PERMITTED USES: The following uses shall be permitted within Subarea 6: Those uses listed in Section 3332.029, (SR, Suburban Residential Districts) of Columbus City Code.

3. DEVELOPMENT STANDARDS: Except as otherwise noted above and herein, the applicable development standards of Chapter 3332, (SR, Suburban Residential Districts) shall apply to Subarea 6 The maximum number of lots in the subarea shall be 257.

- A. Density. Height. Lot and/or Setback Commitments
 - 1. The minimum lot area for each lot shall be 7200 sq. ft.
 - 2. The minimum lot width at the front property line shall be 60 feet, provided, however, that on a terminus or cul-de-sac, curved street or T-turn around the lot width measured at the front lot line shall be no less than 50 feet.
 - 3. The minimum front yard setback shall be 25 feet. The minimum side yard setback shall be no less than 5 feet. The minimum rear yard setback shall be 25% of the lot depth.
 - 4. All lots shall have frontage and access on a public right-of-way.
 - 5. There shall be an absolute height limit of 45 feet. This height limit shall not apply to monitors, chimneys, cupolas and other architectural elements that require greater height (i.e. church steeples).
- B. Access. Loading. Parking and/or Traffic Related Commitments: N/A
- C. Buffering, Landscaping. Open Space and/or Screening Commitments
 - 1. Street trees shall be required on both sides of public streets. Trees are to be a minimum of two and a half inch caliper and shall be spaced at a maximum distance of thirty-five feet on center. Trees may be grouped, provided the quantity is equivalent to 1 tree per thirty-five feet or fraction thereof. This requirement may be waived in areas where existing vegetation occurs.
 - 2. Tree Preservation: Reasonable and good faith efforts will be made to preserve existing trees and tree rows occurring within this subarea. Consideration will be given to laying out streets, lots, structures and parking areas to avoid the unnecessary destruction of these wooded areas. Additionally, standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line.

3. All trees and landscaping shall be well maintained. Dead items, weather permitting, shall be replaced within six months or the next available planting season, whichever occurs first.
 - D. Building Design, and/or Interior-Exterior Treatment Commitments
 1. Exterior Materials
 - a. Wall finish materials: The exterior of a single-family house shall be finished with either brick, wood siding or vinyl siding. These materials can be used individually or in any combination thereof.
 - b. Roof: Primary pitched roofs shall be required to have a minimum slope of 6:12 rise over run. Minor gables, dormers and porch pediments are permitted to have pitches of less than 6:12 rise over run. Flat roofs shall be permitted, but must integrate strong cornice lines. Roofs shall be of natural or synthetic slate, wood shake or wood shingle, metal standing seam. or fiberglass asphalt shingle.
 - c. Windows: Either double hung and/or casement windows are required.
 - d. Shutters: Exterior shutters shall be painted and may be solid paneled (raised panel) or louvered.
 - e. Chimneys: Any exposed exterior chimneys shall be brick. Wood and vinyl siding as well as stucco chimneys are prohibited. Fireboxes that utilize cantilevered floor joist construction are prohibited.
 2. Vehicular and Pedestrian Standards:
 - a. Garages (Vehicular): All vehicular garage doors shall be single bay doors or double bay doors. All such doors shall be solid flush or solid paneled. No glazing shall be permitted in garage doors unless they are consistent with the architectural theme.
 - b. Sidewalks:
 1. Private Sidewalks: A minimum 3 foot wide private sidewalk constructed of concrete or a natural material (brick, bluestone, limestone, etc.) shall be required for every residence. This walk shall extend from the front door to the street or driveway.
 2. Public Sidewalks: A 4 foot public sidewalk shall be required within the right-of-way of all publicly dedicated streets, on at least one side of the road within the development. This sidewalk may be constructed of either asphalt or concrete subject to the approval of the Division of Traffic Engineering. A minimum 6 foot tree lawn on both sides of the street shall be required.
 3. Attached Structures:
 - a. Screen Porches: Screened porches are encouraged on the rear or sides of homes but are not permitted on the front.
 4. Swimming Pools:
 - a. All swimming pools shall be located in the rear yard, within the building line of the site, completely enclosed by fencing and screened from adjoining properties.
 - b. All swimming pools shall be in-ground construction. The swimming pool equipment shall be within an enclosure and completely screened from adjoining properties.
 5. Storage Standards:
 - a. Ancillary Structures: All exterior storage structures shall be attached to the main structure of the house or its garage by walls, fences or hedges. These ancillary structures shall be no more than one-story and shall be constructed of the same wall and/or roof materials as the house. The colors, walls, roof and trim shall match those used on the house.
 - E. Miscellaneous Commitments
 1. Unless otherwise required by the utility company, all new wiring within a development shall be underground.
- SUBAREA 7- 49.9+/- ACRES (PUD-8)
The site is located north of Thompson Road along Rocky Fork Creek.
2. PERMITTED USES: The following uses shall be permitted within Subarea 7: Those uses listed in Section 3345.04, ^PUD, Planned Unit Development District) of Columbus City Code, set forth below:
 - A. Religious activities and quarters.
 - B. Parks, playgrounds, athletic areas, play lots, tot lots, golf courses, swimming pools, lakes and undeveloped areas for passive recreation.
 - C. Recreational buildings, provided that such recreational buildings, shall not be substantially larger than necessary to serve the residents who will live within the Planned Unit Development District when it is fully developed, unless permitted by appropriate action of Columbus City Council.
 - D. Child day care centers.
 - E. Primary and secondary education.
 - F. Horticulture.
 - G. Parking lots, restrooms and other similar support uses for the aforesaid shall be permitted.
 3. DEVELOPMENT STANDARDS: Except as otherwise noted above and herein, the applicable development standards of Chapter 3332, (SR, Residential Use Districts) shall apply to Subarea 7.
 - A. Density, Height, Lot and/or Setback Commitments
 1. When the development of 750 residential multi-family/single family units occurs within this overall development, the developer shall be required to make available park facilities, including open fields for athletic and other leisure time activities. The developer reserves the right to preserve some of this acreage in a natural state. The term "development in this section means the issuance of the occupancy permits for these residential units.
 2. The setback from the Thompson Road right-of-way shall be 10 feet for all buildings and 30 feet for parking, loading and maneuvering areas.
 3. The setback from the centerline of Rocky Fork Creek shall be 150 feet for buildings and parking, loading and maneuvering areas.
 - B. Access, Loading, Parking and/or Traffic Related Commitments
 1. Parking and loading shall be regulated by Columbus City Code under Chapter 3342.
 2. Walking/hiking paths shall be installed within this subarea.
 - C. Buffering, Landscaping, Open Space and/or Screening Commitments
 1. A street tree planting shall be established along Thompson Road. Trees are to be a minimum of two and a half inch caliper and shall be spaced at a maximum distance of thirty feet on center. Trees may be grouped, provided the quantity is equivalent to 1 tree per thirty feet or fraction thereof. This requirement may be waived in areas where existing vegetation occurs.

2. Tree Preservation: Reasonable and good faith efforts will be made to preserve existing trees and tree rows occurring within this subarea. Consideration will be given to laying out streets, lots, structures and parking areas to avoid the unnecessary destruction of these wooded areas. Additionally, standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line.

3. All trees and landscaping shall be well maintained. Dead items, weather permitting, shall be replaced within six months or the next available planting season, whichever occurs first.

D. Building Design. and/or Interior-Exterior Treatment Commitments: N/A

E. Dumpsters. Lighting. Outdoor Display Areas and/or other Environmental Commitments

1. All external outdoor lighting fixtures within a given area shall be from the same or similar manufacturer's type to insure compatibility.

2. Parking lot lighting standards shall not exceed 18 feet in height; and shall be cut-off type fixtures.

3. Unless otherwise required by the utility company, all new wiring within a development shall be underground.

4. All waste and refuse shall be containerized and fully screened from view by a solid wall or fence.

F. Miscellaneous Commitments

1. All signage and graphics shall conform to Article 15 of the Columbus City Graphics Code, as it applies to SR, Suburban Residential District. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.

SUBAREA 8 - 64.36+/- ACRES (PUD-8)

Subarea 8 is located on the north side of Thompson Road.

2. PERMITTED USES: The maximum density in this subarea shall be 771 units. The only permitted use are those contained in Section 3333.02 (AR-12, Apartment Residential Districts) and/or Section 3332.037 (R-2F Residential District) of the Columbus City Code.

3. DEVELOPMENT STANDARDS: Except as otherwise noted above and therein, the applicable development standards of Chapter 3333, (AR-12, Apartment Residential Districts) shall apply to land development pursuant to Section 3333.02 and the development standards for Chapter 3332 shall apply to land development pursuant to Section 3332.037.

A. Density. Height. Lot and/or Setback Requirements

1. The setback from Thompson Road right-of-way shall be 10 feet for all buildings and 30 feet for parking, loading and maneuvering areas.

2. If two or more parcels are developed for multi-family usage pursuant to a common site development plan, and the respective parcel owners consent, the perimeter yard requirement set forth in Section 3333.255 shall not be applicable with respect to the property lines common to such parcels. In order to administer the above requirement the first parcel to be developed shall provide a 25 foot perimeter yard. The next parcel (i.e. second phase of the multi-family development) shall not be required to provide a 25 foot perimeter yard along its common property line with the first parcel and the first parcel may eliminate its 25 foot perimeter yard along said common property line subject to the requirements of the applicable building code.

3. There shall be an absolute height limit of 50 feet. This height limit shall not apply to monitors, chimneys, cupolas and other architectural elements that require greater height (i.e. church steeples).

B. Access, Loading, Parking and/or Traffic Related Commitments

1. The proposed street alignments and access points are schematic and subject to change.

2. Curb cuts along Thompson Road shall have a minimum 250 foot spacing from centerline to centerline. This spacing requirement shall not apply to right in/right out curb cuts.

3. Along the west border of Subarea 8, a collector shall be developed labeled "North/South Road". Such collector shall be developed as a public street or as a private street with a public easement with the City allowing the public to use such street. This North/South Road shall be constructed when development (other than the installation of utility lines) occurs within 400 feet of said road in either Subareas 8 or 16.

4. Sidewalks shall be installed on one side along all public streets. Sidewalks may be constructed of asphalt or concrete subject to the approval of the Division of Traffic.

5. Up to fifteen (15) percent of the total number of parking spaces may be satisfied by the use of on-street parking spaces.

6. Parking and loading shall be regulated by Columbus City Code under Chapter 3342.

C. Buffering, Landscaping, Open Space and/or Screening Commitments

1. A street tree planting shall be established along Thompson Road. Trees are to be a minimum of two and a half inch caliper and shall be spaced at a maximum distance of thirty feet on center. Trees may be grouped, provided the quantity is equivalent to 1 tree per thirty feet or fraction thereof. This requirement may be waived in areas where existing vegetation occurs.

2. Landscaping within the 30 foot parking setback along Thompson Road shall be rural in character and based on the following standard:

a. Within the parking setback there shall be 4 trees planted per 100 lineal feet in a hedgerow manner or grouped. Trees shall be deciduous, ornamental, evergreen or any combination thereof.

3. Tree Preservation: Reasonable and good faith efforts will be made to preserve existing trees and tree rows occurring within this subarea. Consideration will be given to laying out streets, lots, structures and parking areas to avoid the unnecessary destruction of these wooded areas. Additionally, standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line.

4. The landscaping requirements may be deleted if existing vegetation occurs within the parking setback area. If gaps exist within existing trees, infill planting shall occur and meet the requirements of said parking setback area, Section 2a.

5. All parking areas along Thompson Road shall have headlight screening with a minimum height of 30 inches measured from the elevation of the nearest section of the adjacent parking area. Headlight screening shall be in the form of horse fencing, mounding, hedge, shrub or any combination thereof.

6. Any surface parking lot excluding loading, and storage area containing more than 6,000 sq. feet or 20 or more vehicular parking spaces shall provide interior landscaping per the requirements of Chapter 3342 of the Columbus City Code in addition to previously required perimeter landscaping.

7. The landscaping requirements of this section may be satisfied or offset by the preservation of existing vegetation.

8. Unless otherwise specified, minimum size of all plant material at installation shall be 2 1/2" caliper for deciduous shade trees, 6' high for evergreen, and 1 2" caliper for ornamental trees.

9. The landscaping required in this section shall count toward satisfying the landscaping requirements of Chapter 3342 of the Columbus City Code.

10. All trees and landscaping shall be well maintained. Dead items, weather permitting, shall be replaced within six months or the next available planting season, whichever occurs first.

- D. Building Design and/or Interior-Exterior Treatment Commitments
 - 1. The absolute building height shall be 50 feet.
 - 2. Building materials shall be traditional and natural in appearance, such as brick, stone, wood, and glass. Vinyl and other manufactured materials shall be permitted as long as they are natural in appearance.
 - 3. Sloped or pitched roofs are encouraged. Flat roofs are allowed only with detailed or decorative cornices.
- E. Dumpsters. Lighting. Outdoor Display Areas, and/or other Environmental Commitments
 - 1. All external outdoor lighting fixtures within a given area shall be from the same or simile manufacturer's type to insure compatibility.
 - 2. Parking lot lighting standards shall not exceed 18 feet in height.
 - 3. Unless otherwise required by the utility company, all new wiring within a development shall be underground.
 - 4. All waste and refuse shall be containerized and fully screened from off-site view by a solid wall or fence that is consistent with the building's architecture, and built to a height of six feet with a gate on one side.
- F. Graphics and Signage Commitments
 - 1. All signage and graphics shall conform to Article 15 of the Columbus City Graphics Code, as it applies to the AR-12, Apartment Residential Districts. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.

SUBAREA 9 - 43.29+/- ACRES (PUD-8)

Subarea 9 is located east of the North/South Road, on the south side of Thompson Road.

2. PERMITTED USES: The maximum density in this subarea shall be 519 units. The only permitted use are those contained in Section 3333.02 (AR-12, Apartment Residential Districts) of the Columbus City Code and/or Section 3332.037 (R-2F Residential District) of the Columbus City Code.

3. DEVELOPMENT STANDARDS: Except as otherwise noted above and therein, the applicable development standards of Chapter 3333, (AR-12, Apartment Residential Districts) shall apply to land development pursuant to Section 3333.02 and the development standards for Chapter 3332 shall apply to land development pursuant to Section 3332.037.

A Density, Height, Lot and/or Setback Requirements

- 1. The setback from the Thompson Road right-of-way shall be 10 feet for all buildings and 30 feet for parking, loading and maneuvering areas.
- 2. The setback from the centerline of Rocky Fork Creek shall be 150 feet for buildings and parking, loading and maneuvering areas.
- 3. If two or more parcels are developed for multi-family usage pursuant to a common site development plan, and the respective parcel owners consent, the perimeter yard requirement set forth in Section 3333.255 shall not be applicable with respect to the property lines common to such parcels. In order to administer the above requirement the first parcel to be developed shall provide a 25-foot perimeter yard. The next parcel (i.e. second phase of the multi-family development) shall not be required to provide a 25 foot perimeter yard along its common property line with the first parcel and the first parcel may eliminate its 25 foot perimeter yard along said common property line subject to the requirements of the applicable building code.
- 4. There shall be an absolute height limit of 60 feet. This height limit shall not apply to monitors, chimneys, cupolas and other architectural elements that require greater height (i.e. church steeples).

B. Access, Loading, Parking and/or Traffic Related Commitments

- 1. The proposed street alignments and access points are schematic and subject to change.
- 2. Curb cuts along Thompson Road shall have a minimum 250-foot spacing from centerline to centerline. These spacing requirements shall not apply to right in/right out curb cuts
- 3. Sidewalks shall be installed on one side along all public streets. Sidewalks may be constructed of asphalt or concrete subject to the approval of the Division of Traffic Engineering.
- 4. Parking and loading shall be regulated by Columbus City Code under Chapter 3342.

C. Buffering, Landscaping, Open Space and/or Screening Commitments

- 1. A street tree planting shall be established along Thompson Road. Trees are to be a minimum of two and a half inch caliper and shall be spaced at a maximum distance of thirty feet on center. Trees may be grouped, provided the quantity is equivalent to 1 tree per thirty feet or fraction thereof. This requirement may be waived in areas where existing vegetation occurs.
- 2. Landscaping within the 30 foot parking setback along Thompson Road shall be rural in character and based on the following standard:
 - a. Within the parking setback there shall be 4 trees planted per 100 lineal feet in a hedgerow manner or grouped. Trees shall be deciduous, ornamental, evergreen or any combination thereof.
- 3. Tree Preservation: Reasonable and good faith efforts will be made to preserve existing trees and tree rows occurring within this subarea. Consideration will be given to laying out streets, lots, structures and parking areas to avoid the unnecessary destruction of these wooded areas. Additionally, standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line.
- 4. The landscaping requirements may be deleted if existing vegetation occurs within the parking setback area. If gaps exist within existing trees, infill planting shall occur and meet the requirements of said parking setback area, Section 2a.
- 5. All parking areas along Thompson Road shall have headlight screening with a minimum height of 30 inches measured from the elevation of the nearest section of the adjacent parking area. Headlight screening shall be in the form of horse fencing, mounding, hedge, shrub or any combination thereof.
- 6. Any surface parking lot excluding loading, and storage area containing more than 6,000 sq. feet or 20 or more vehicular parking spaces shall provide interior landscaping per the requirements of Chapter 3342 of the Columbus City Code in addition to previously required perimeter landscaping.
- 7. The landscaping requirements of this section may be satisfied or offset by the preservation of existing vegetation.
- 8. Unless otherwise specified, minimum size of all plant material at installation shall be 2 ½ caliper for deciduous shade trees, 6' high for evergreen, and V/z" caliper for ornamental trees.
- 9. The landscaping required in this section shall count toward satisfying the landscaping requirements of Chapter 3342 of the Columbus City Code.
- 10. All trees and landscaping shall be well maintained. Dead items, weather permitting, shall be replaced within six months or the next available planting season, whichever occurs first.

D. Building Design and/or Interior-Exterior Treatment Commitments

- 1. The absolute building height shall be 50 feet.
- 2. Building materials shall be traditional and natural in appearance, such as brick, stone, wood, and glass. Vinyl and other manufactured materials shall be permitted as long as they are natural in appearance.
- 3. Sloped or pitched roofs are encouraged. Flat roofs are allowed only with detailed or decorative cornices.

- E. Dumpsters, Lighting, Outdoor Display Areas, and/or other Environmental Commitments
 - 1. All external outdoor lighting fixtures within a given area shall be from the same or similar manufacturer's type to insure compatibility.
 - 2. Parking lot lighting standards shall not exceed 18 feet in height.
 - 3. Unless otherwise required by the utility company, all new wiring within a development shall be underground.
 - 4. All waste and refuse shall be containerized and fully screened from off-site view by a solid wall or fence that is consistent with the building's architecture, and built to a height of six feet with a gate on one side.

F. Graphics and Signage Commitments

- 1. All signage and graphics shall conform to Article 15 of the Columbus City Graphics Code, as it applies to the AR-12, Apartment Residential Districts. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.

SUBAREA 10 • 16.47+/- ACRES (PUD'S)

Subarea 10 is located east of the North/South Road, on the south side of Thompson Road.

2. PERMITTED USES: The maximum density in this subarea shall be 197 units. The only permitted uses are those contained in Section 3333.02 (AR-12, Apartment Residential Districts) of the Columbus City Code and/or Section 3332.037 (R-2F Residential District) of the Columbus City Code.

3. DEVELOPMENT STANDARDS: Except as otherwise noted above and therein, the applicable development standards of Chapter 3333. (AR-12, Apartment Residential Districts) shall apply to land development pursuant to Section 3333.02 and the development standards for Chapter 3332 shall apply to land development pursuant to Section 3332.037.

A Density, Height, Lot and/or Setback Requirements

- 1. The setback from the North/South Road right-of-way shall be 5 feet for all buildings and 30 feet for parking, loading and maneuvering areas.
- 2. If two or more parcels are developed for multi-family usage pursuant to a common site development plan, and the respective parcel owners consent, the perimeter yard requirement set forth in Section 3333.255 shall not be applicable with respect to the property lines common to such parcels. In order to administer the above requirement the first parcel to be developed shall provide a 25-foot perimeter yard. The next parcel (i.e. second phase of the multi-family development) shall not be required to provide a 25 foot perimeter yard along its common property line with the first parcel and the first parcel may eliminate its 25 foot perimeter yard along said common property line subject to the requirements of the applicable building code.
- 3. There shall be an absolute height limit of 50 feet. This height limit shall not apply to monitors, chimneys, cupolas and other architectural elements that require greater height (i.e. church steeples).

B. Access, Loading, Parking and/or Traffic Related Commitments

- 1. The proposed street alignments and access points are schematic and subject to change
- 2. Curb cuts along the North/South Road shall be a minimum 250-foot spacing from centerline to centerline. These spacing requirements shall not apply to right in/right of curb cuts.
- 3. Sidewalks shall be installed on one side along all public streets. Sidewalks may be constructed of asphalt or concrete subject to the approval of the Division of Traffic Engineering.
- 4. Up to fifteen (15) percent of the total number of required parking spaces may be satisfied by the use of on-street parking spaces.

C. Buffering, Landscaping, Open Space and/or Screening Commitments

- 1. A street tree planting shall be established along the North/South Road. Trees are to a minimum of two and a half inch caliper and shall be spaced at a maximum distance thirty feet on center. Trees may be grouped, provided the quantity is equivalent to 1 tree per thirty feet or fraction thereof. This requirement may be waived in areas where existing vegetation occurs.
- 2. Landscaping within the 30 foot parking setback along the North/South Road shall be rural in character and based on the following standard:
 - a. Within the parking setback there shall be 4 trees planted per 100 lineal feet in a hedgerow manner or grouped. Trees may be deciduous, ornamental, evergreen or any combination thereof.
- 3. Tree Preservation: Reasonable and good faith efforts will be made to preserve existing trees and tree rows occurring within this subarea. Consideration will be given to laying out streets, lots, structures and parking areas to avoid the unnecessary destruction of these wooded areas. Additionally, standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line.
- 4. The landscaping requirements may be deleted if existing vegetation occurs within the parking setback area. If gaps exist within existing trees, infill planting shall occur and meet the requirements of said parking setback area, Section 2a.
- 5. All parking areas fronting the North/South Road shall have headlight screening with a minimum height of 30 inches measured from the elevation of the nearest section of the adjacent parking area. Headlight screening shall be in the form of horse fencing, mounding, hedge, shrub or any combination thereof.
- 6. Any surface parking lot excluding loading, and storage area containing more than 6,000 sq. feet or 20 or more vehicular parking spaces shall provide interior landscaping per the requirements of Chapter 3342 of the Columbus City Code in addition to previously required perimeter landscaping.
- 7. Along the east and south property lines, existing trees in good condition shall be preserved within the parking setback area, except where road crossings and utility crossings are necessary.
- 8. The landscaping requirements of this section may be satisfied or offset by the preservation of existing vegetation.
- 9. Unless otherwise specified, minimum size of all plant material at installation shall be 2 ½" caliper for deciduous shade trees, 6' high for evergreen, and 1 ½" caliper for ornamental trees.
- 10. The landscaping required in this section shall count toward satisfying the landscaping requirements of Chapter 3342 of the Columbus City Code.
- 11. All trees and landscaping shall be well maintained. Dead items, weather permitting, shall be replaced within six months or the next available planting season, whichever occurs first.

D. Building Design and/or Interior-Exterior Treatment Commitments

- 1. The absolute building height shall 50 feet.
- 2. Building materials shall be traditional and natural in appearance, such as brick, stone, wood, and glass. Vinyl and other manufactured materials are permitted as long as they are natural in appearance.
- 3. Sloped or pitched roofs are encouraged. Flat roofs are allowed only with detailed or decorative cornices.

E. Dumpsters, Lighting, Outdoor Display Areas, and/or other Environmental Commitments

- 1. All external outdoor lighting fixtures within a given area shall be from the same or similar manufacturer's type to insure compatibility.

2. Parking lot lighting standards shall not exceed 18 feet in height.
3. Unless otherwise required by the utility company, all new wiring within a development shall be underground.
4. All waste and refuse shall be containerized and fully screened from off-site view by a solid wall or fence that is consistent with the building's architecture, and built to a height of six feet with a gate on one side.

F. Graphics and Signage Commitments

1. All signage and graphics shall conform to Article 15 of the Columbus City Graphics Code, as it applies to the AR-12, Apartment Residential Districts. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.

SUBAREA 11 - 21.30+/- ACRES (PUD-8)

Subarea 11 is located west of the North/South Road. and south of Thompson Road.

2. PERMITTED USES: The maximum density in this subarea shall be 197 units. The only permitted uses are those contained in Section 3333.02 (AR-12. Apartment Residential Districts) of the Columbus City Code and/or Section 3332.037 (R-2F Residential District) of the Columbus City Code.

3. DEVELOPMENT STANDARDS: Except as otherwise noted above and therein, the applicable development standards of Chapter 3333. (AR-12. Apartment Residential Districts) shall apply to land development pursuant to Section 3333.02 and the development standards for Chapter 3332 shall apply to land development pursuant to Section 3332.037.

A. Density. Height. Lot and/or Setback Requirements

1. The setback from the North/South Road right-of-way shall be 5 feet for all buildings and 30 feet for parking, loading and maneuvering areas.

2. If two or more parcels are developed for multi-family usage pursuant to a common site development plan, and the respective parcel owners consent, the perimeter yard requirement set forth in Section 3333.255 shall not be applicable with respect to the property lines common to such parcels. In order to administer the above requirement the first parcel to be developed shall provide a 25-foot perimeter yard. The next parcel (i.e. second phase of the multi-family development) shall not be required to provide a 25 foot perimeter yard along its common property line with the first parcel and the first parcel may eliminate its 25 foot perimeter yard along said common property line subject to the requirements of the applicable building code.

3. There shall be an absolute height limit of 50 feet. This height limit shall not apply to monitors, chimneys, cupolas and other architectural elements that require greater height (i.e. church steeples).

B. Access. Loading. Parking and/or Traffic Related Commitments

1. The proposed street alignments and access points are schematic and subject to change
2. Curb cuts along the North/South Road shall be a minimum 250-foot spacing from centerline to centerline. These spacing requirements shall not apply to right in/right of curb cuts.

3. Along the east border of Subarea 11, a collector shall be developed labeled "North/South Road". This collector shall have a 60-foot right-of-way.

4. Sidewalks shall be installed on one side along all public streets. Sidewalks may be constructed of asphalt or concrete subject to the approval of the Division of Traffic Engineering.

5. Up to fifteen (15) percent of the total number of required parking spaces may be satisfied by the use of on-street parking spaces.

C. Buffering. Landscaping. Open Space and/or Screening Commitments

1. A street tree planting shall be established along the North/South Road. Trees are to a minimum of two and a half inch caliper and shall be spaced at a maximum distance thirty feet on center. Trees may be grouped, provided the quantity is equivalent to 1 tree per thirty feet or fraction thereof. This requirement may be waived in areas where existing vegetation occurs.

2. Landscaping within the 30 foot parking setback along the North/South Road shall be rural in character and based on the following standard:

- a. Within the parking setback there shall be 4 trees planted per 100 lineal feet in a hedgerow manner or grouped. Trees may be deciduous, ornamental, evergreen or any combination thereof.

3. Tree Preservation: Reasonable and good faith efforts will be made to preserve existing trees and tree rows occurring within this subarea. Consideration will be given to laying out streets, lots, structures and parking areas to avoid the unnecessary destruction of these wooded areas. Additionally, standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line.

4. The landscaping requirements may be deleted if existing vegetation occurs within the parking setback area. If gaps exist within existing trees, infill planting shall occur and meet the requirements of said parking setback area, Section 2a.

5. All parking areas fronting the North/South Road shall have headlight screening with a minimum height of 30 inches measured from the elevation of the nearest section of the adjacent parking area. Headlight screening shall be in the form of horse fencing, mounding, hedge, shrub or any combination thereof.

6. Any surface parking lot excluding loading, and storage area containing more than 6,000 sq. feet or 20 or more vehicular parking spaces shall provide interior landscaping per the requirements of Chapter 3342 of the Columbus City Code in addition to previously required perimeter landscaping.

7. Along the south property lines, existing trees in good condition shall be preserved within the parking setback area, except where road crossings and utility crossings are necessary.

8. The landscaping requirements of this section may be satisfied or offset by the preservation of existing vegetation.

9. Unless otherwise specified, minimum size of all plant material at installation shall be 2 ½ caliper for deciduous shade trees, 6' high for evergreen, and 1 ½ " caliper for ornamental trees.

10. The landscaping required in this section shall count toward satisfying the landscaping requirements of Chapter 3342 of the Columbus City Code.

11. All trees and landscaping shall be well maintained. Dead items, weather permitting, shall be replaced within six months or the next available planting season, whichever occurs first.

D. Building Design and/or Interior-Exterior Treatment Commitments

1. The absolute building height shall be three stories, not to exceed 50 feet.
2. Building materials shall be traditional and natural in appearance, such as brick, stone, wood, and glass. Vinyl and other manufactured materials are permitted as long as they are natural in appearance.

3. Sloped or pitched roofs are encouraged. Flat roofs are allowed only with detailed or decorative cornices.

E. Dumpsters, Lighting, Outdoor Display Areas, and/or other Environmental Commitments

1. All external outdoor lighting fixtures within a given area shall be from the same or similar manufacturer's type to insure compatibility.

2. Parking lot lighting standards shall not exceed 18 feet in height.

3. Unless otherwise required by the utility company, all new wiring within a development shall be underground.
4. All waste and refuse shall be containerized and fully screened from off-site view by a solid wall or fence that is consistent with the building's architecture, and built to a height of six feet with a gate on one side.

F. Graphics and Signage Commitments

1. All signage and graphics shall conform to Article 15 of the Columbus City Graphics Code, as it applies to the AR-12, Apartment Residential Districts. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.

SUBAREA 12 " 27.79-t/- ACRES (PUD-Q)

Subarea 12 is located north of Morse Road and west of the North/South Road.

2. PERMITTED USES: The maximum density in this subarea shall be 333 units. The only permitted use are those contained in Section 3333.02 (AR-12, Apartment Residential Districts) of the Columbus City Code and/or Section 3332.037 (R-2F Residential District) of the Columbus City Code.

3. DEVELOPMENT STANDARDS: Except as otherwise noted above and therein, the applicable development standards of Chapter 3333, (AR-12, Apartment Residential Districts) shall apply to land development pursuant to Section 3333.02 and the development standards for Chapter 3332 shall apply to land development pursuant to Section 3332.037.

A. Density. Height. Lot and/or Setback Requirements

1. The building setback from the Morse Road right-of-way shall be 150 feet. The setback from the Morse Road right-of-way shall be 100 feet for all parking, loading and maneuvering areas. This setback is part of the Morse Road Corridor Design Plan providing for these continuing setbacks along Morse Road between Hamilton Road and Johnstown Road (U.S. Route 62). The setback from the North/South Road right-of-way shall be 5 feet for all buildings and 30 feet for parking, loading and maneuvering areas. These setbacks shall not apply to freestanding architectural elements such as a windmill, barn, folly or other feature, which may be constructed at an intersection of two public roads. Notwithstanding this section, pergolas may be installed at a one-foot setback from the right-of-way of the Proposed North/South Road and 25 feet from the Morse Road right-of-way. Said pergolas shall have a maximum height of 15 feet and may include signage if the appropriate governmental approvals are obtained.

2. If two or more parcels are developed for multi-family usage pursuant to a common site development plan, and the respective parcel owners consent, the perimeter yard requirement set forth in Section 3333.255 shall not be applicable with respect to the property lines common to such parcels. In order to administer the above requirement the first parcel to be developed shall provide a 25-foot perimeter yard. The next parcel (i.e. second phase of the multi-family development) shall not be required to provide a 2 foot perimeter yard along its common property line with the first parcel and the first parcel may eliminate its 25 foot perimeter yard along said common property line subject to the requirements of the applicable building code.

3. There shall be an absolute height limit of 50 feet. This height limit shall not apply to monitors, chimneys, cupolas and other architectural elements that require greater height (i.e. church steeples).

B. Access. Loading. Parking and/or Traffic Related Commitments

1. The proposed street alignments and access points are schematic and subject to change
2. Curb cuts along the North/South Road shall be a minimum 250 foot spacing from centerline to centerline. These spacing requirements shall not apply to right-in/right-out curb cuts.

3. Along the east border of Subarea 12, a collector shall be developed labeled "North/South Road". This collector shall have a 60-foot right-of-way.

4. Sidewalks shall be installed on one side along all public streets other than Morse Road. Sidewalks may be constructed of asphalt or concrete subject to the approval of the Division of Traffic. In keeping with the rural nature of the Morse Road Corridor Design Plan, Morse Road shall not contain a sidewalk.

5. Parking and loading shall be regulated by Columbus City Code under Chapter 3342. Up to fifteen (15) percent of the total number of required parking spaces may be satisfied by the use of on-street parking spaces.

C. Buffering. Landscaping. Open Space and/or Screening Commitments

1. A street tree row shall be established along the North/South Road. Trees are to be a minimum of two and a half inch caliper and shall be spaced at a maximum distance of thirty feet on center. Trees may be grouped, provided the quantity is equivalent to 1 tree per thirty feet or fraction thereof. This requirement may be waived in areas where existing vegetation occurs.

2. Landscaping within the 30 foot parking setback along the North/South Road shall be rural in character and based on the following standard:

- a. Within the parking setback there shall be 4 trees planted per 100 lineal feet in a hedgerow manner or grouped. Trees may be deciduous, ornamental, evergreen or any combination thereof.

3. Landscaping within the 100 foot parking setback, which creates an open space corridor along Morse Road shall be rural in character and based on the following standard:

- a. Within the 100-foot parking setback area, 7 trees shall be planted per 100 lineal feet. Four trees shall be deciduous shade trees, the balance being ornamental trees. The shade and ornamental trees shall be planted randomly and toward the right-of-way in a hedgerow manner and shall be rural in character.

- b. Attempts shall be made within the parking setback area to relocate access points and/or utilities to preserve existing trees.

- c. Attempts shall be made to preserve any natural features occurring within the parking setback area.

- d. A standard 4 rail white horse fence shall be located 2 feet outside the right-of-way and at the 100-foot pavement setback line.

This landscape standard is part of the Morse Road Corridor Design Plan providing for a common landscaping requirement along Morse Road between Hamilton Road and Johnstown Road (U.S. Route 62).

4. Tree Preservation: Reasonable and good faith efforts will be made to preserve existing trees and tree rows occurring within this subarea. Consideration will be given to laying out streets, lots, structures and parking areas to avoid the unnecessary destruction of these wooded areas. Additionally, standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line.

5. The landscaping requirements may be deleted if existing vegetation occurs within the parking setback area. If gaps exist within existing trees, infill planting shall occur and meet the requirements of said parking setback area. Section 2a.

6. All parking areas fronting the North/South Road shall have headlight screening with a minimum height of 30 inches measured from the elevation of the nearest section of the adjacent parking area. Headlight screening shall be in the form of horse fencing, mounding, hedge, shrub or any combination thereof.

7. Any surface parking lot excluding loading, and storage area containing more than 6,000 sq. feet or more vehicular parking spaces shall provide interior landscaping per the requirements of Chapter 3342 of the Columbus City Code in addition to previously required perimeter landscaping.

8. Along the north and south property lines, existing trees in good condition shall be preserved within the parking setback area, except where road crossings and utility crossings are necessary.
9. The landscaping requirements of this section may be satisfied or offset by the preservation of existing vegetation.
10. Unless otherwise specified, minimum size of all plant material at installation shall be 2 ½ " caliper for deciduous shade trees, 6' high for evergreen, and 1 ½ " caliper for ornamental trees.
11. The landscaping required in this section shall count toward satisfying the landscaping requirements of Chapter 3342 of the Columbus City Code.
12. All trees and landscaping shall be well maintained. Dead items, weather permitting, shall be replaced within six months or the next available planting season, whichever occurs first.
- D. Building Design and/or Interior-Exterior Treatment Commitments
 1. The absolute building height shall be 50 feet.
 2. Building materials shall be traditional and natural in appearance, such as brick, stone, wood, and glass. Vinyl and other manufactured materials are permitted as long as they are natural in appearance.
 3. Sloped or pitched roofs are encouraged. Flat roofs are allowed only with detailed or decorative cornices.
- E. Dumpsters, Lighting, Outdoor Display Areas, and/or other Environmental Commitments
 1. All external outdoor lighting fixtures within a given area shall be from the same or simile manufacturer's type to insure compatibility.
 2. Parking lot lighting standards shall not exceed 18 feet in height.
 3. Unless otherwise required by the utility company, all new wiring within a development shall be underground.
 4. All waste and refuse shall be containerized and fully screened from off-site view by a solid wall or fence that is consistent with the building's architecture, and built to a height of six feet with a gate on one side.
- F. Graphics and Signage Commitments
 1. All signage and graphics shall conform to Article 15 of the Columbus City Graphics Code, as it applies to the AR-12, Apartment Residential Districts. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.

SUBAREA 13 - 21.78+7- ACRES (PUD-8)

Subarea 13 is located north of Morse Road and east of the North/South Road.

2. PERMITTED USES: The maximum density in this subarea shall be 261 units. The only permitted uses are those contained in Section 3333.02 (AR-12, Apartment Residential Districts) of the Columbus City Code and/or Section 3332.037 (R-2F Residential District) of the Columbus City Code.
3. DEVELOPMENT STANDARDS: Except as otherwise noted above and therein, the applicable development standards of Chapter 3333, (AR-12, Apartment Residential Districts) shall apply to land development pursuant to Section 3333.02 and the development standards for Chapter 3332 shall apply to land development pursuant to Section 3332.037.

A. Density, Height, Lot and/or Setback Requirements

1. The building setback from the Morse Road right-of-way shall be 150 feet. The setback from the Morse Road right-of-way shall be 100 feet for all parking, loading and maneuvering areas. This setback is part of the Morse Road Corridor Design Plan providing for these continuing setbacks along Morse Road between Hamilton Road and Johnstown Road (U.S. Route 62). The setback from the North/South Road right-of-way shall be 5 feet for all buildings and 30 feet for parking, loading and maneuvering areas. These setbacks shall not apply to freestanding architectural elements such as a windmill, barn, folly or other feature, which may be constructed at an intersection of two public roads. Notwithstanding this section, pergolas may be installed at a one foot setback from the right-of-way of the Proposed North/South Road and 25 feet from the Morse Road right-of-way. Said pergolas shall have a maximum height of 15 feet and may include signage if the appropriate governmental approvals are obtained.

2. If two or more parcels are developed for multi-family usage pursuant to a common site development plan, and the respective parcel owners consent, the perimeter yard requirement set forth in Section 3333.255 shall not be applicable with respect to the property lines common to such parcels. In order to administer the above requirement the first parcel to be developed shall provide a 25 foot perimeter yard. The next parcel (i.e. second phase of the multi-family development) shall not be required to provide a 2 foot perimeter yard along its common property line with the first parcel and the first parcel may eliminate its 25 foot perimeter yard along said common property line subject to the requirements of the applicable building code.

3. There shall be an absolute height limit of 50 feet. This height limit shall not apply to monitors, chimneys, cupolas and other architectural elements that require greater height (i.e. church steeples).

B. Access, Loading, Parking and/or Traffic Related Commitments

1. The proposed street alignments and access points are schematic and subject to change
2. Curb cuts along the North/South Road shall be a minimum 250 foot spacing from centerline to centerline. These spacing requirements shall not apply to right-in/right-out curb cuts.
3. Along the west border of Subarea 13, a collector shall be developed labeled "North/South Road". This collector shall have a 60 foot right-of-way.
4. Sidewalks shall be installed on one side along all public streets other than Morse Road Sidewalks may be constructed of asphalt or concrete subject to the approval of the Division of Traffic. In keeping with the rural nature of the Morse Road Corridor Design Plan, Morse Road shall not contain a sidewalk.

5. Parking and loading shall be regulated by Columbus City Code under Chapter 3342.

6. Up to fifteen (15) percent of the total number of required parking spaces may be satisfied by the use of on-street parking spaces.

C. Buffering, Landscaping, Open Space and/or Screening Commitments

1. A street tree planting shall be established along the North/South Road. Trees are to be a minimum of two and a half inch caliper and shall be spaced at a maximum distance of thirty feet on center. Trees may be grouped, provided the quantity is equivalent to 1 tree per thirty feet or fraction thereof. This requirement may be waived in areas where existing vegetation occurs.

2. Landscaping within the 30 foot parking setback along the North/South Road shall be rural in character and based on the following standard:

- a. Within the parking setback there shall be 4 trees planted per 100 lineal feet in a hedgerow manner or grouped. Trees may be deciduous, ornamental, evergreen or any combination thereof.

3. Landscaping within the 100 foot parking setback which creates an open space corridor along Morse Road shall be rural in character and based on the following standard:

- a. Within the 100 foot parking setback area, 7 trees shall be planted per 100 linear feet. Four trees shall be deciduous shade trees, the balance being ornamental trees. The shade and ornamental trees shall be planted randomly and toward the right-of-way in a hedge row manner and shall be rural in character.

- b. Attempts shall be made within the parking setback area to relocate access point and/or utilities to preserve existing trees.
- c. Attempts shall be made to preserve any natural features occurring within the parking setback area.
- d. A standard 4 rail white horse fence shall be located 2 feet outside the right-of-way and at the 100 foot pavement setback line.

This landscape standard is part of the Morse Road Corridor Design Plan providing for common landscaping requirement along Morse Road between Hamilton Road and Johnstown Road (U.S. Route 62).

4. Tree Preservation: Reasonable and good faith efforts will be made to preserve existing trees and tree rows occurring within this subarea. Consideration will be given to laying out streets, lots, structures and parking areas to avoid the unnecessary destruction of these wooded areas. Additionally, standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line.

5. The landscaping requirements may be deleted if existing vegetation occurs within the parking setback area. If gaps exist within existing trees, infill planting shall occur and meet the requirements of said parking setback area, Section 2a.

6. Any surface parking lot excluding loading, and storage area containing more than 6,000 sq. feet or 20 or more vehicular parking spaces shall provide interior landscaping per the requirements of Chapter 3342 of the Columbus City Code in addition to previously required perimeter landscaping.

7. All parking areas fronting the North/South Road shall have headlight screening at a minimum height of 30 inches measured from the elevation of the nearest section of the adjacent parking area. Headlight screening shall be in the form of horse fencing, mounding, hedge, shrub or any combination thereof.

8. Along the north and east property lines, existing trees in good condition shall be preserved within the parking setback area, except where road crossings and utility crossings are necessary.

9. The landscaping requirements of this section may be satisfied or offset by the preservation of existing vegetation.

10. Unless otherwise specified, minimum size of all plant material at installation shall be 2 ½ " caliper for deciduous shade trees, 6' high for evergreen, and 1 ½ " caliper for ornamental trees.

11. The landscaping required in this section shall count toward satisfying the landscaping requirements of Chapter 3342 of the Columbus City Code.

12. All trees and landscaping shall be well maintained. Dead items, weather permitting, shall be replaced within six months or the next available planting season, whichever occurs first.

D. Building Design and/or Interior-Exterior Treatment Commitments

1. The absolute building height shall be 50 feet.

2. Building materials shall be traditional and natural in appearance, such as brick, stone, wood, and glass. Vinyl and other manufactured materials are permitted as long as they are natural in appearance.

3. Sloped or pitched roofs are encouraged. Flat roofs are allowed only with detailed or decorative cornices.

E. Dumpsters, Lighting, Outdoor Display Areas, and/or other Environmental Commitments

1. All external outdoor lighting fixtures within a given area shall be from the same or similar manufacturer's type to insure compatibility.

2. Parking lot lighting standards shall not exceed 18 feet in height.

3. Unless otherwise required by the utility company, all new wiring within a development shall be underground.

4. All waste and refuse shall be containerized and fully screened from off-site view by a solid wall or fence that is consistent with the building's architecture, and built to a height of six feet with a gate on one side.

F. Graphics and Signage Commitments

1. All signage and graphics shall conform to Article 15 of the Columbus City Graphics Code, as it applies to the AR-12, Apartment Residential Districts. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.

SUBAREA 14 - 28.6+/- ACRES (PUD'8)

Subarea 14 is located north of Morse Road at the southeastern edge of the property.

2. PERMITTED USES: The maximum density in this subarea shall be 343 units. The only permitted uses are those contained in Section 3333.02 (AR-12, Apartment Residential Districts) of the Columbus City Code and/or Section 3332.037 (R-2F Residential District) of the Columbus City Code.

3. DEVELOPMENT STANDARDS: Except as otherwise noted above and therein, the applicable development standards of Chapter 3333, (AR-12, Apartment Residential Districts) shall apply to land development pursuant to Section 3333.02 and the development standards for Chapter 3332 shall apply to land development pursuant to Section 3332.037.

A. Density, Height, Lot and/or Setback Requirements

1. The building setback from the Morse Road right-of-way shall be 150 feet. The setback from the Morse Road right-of-way shall be 100 feet for all parking, loading and maneuvering areas. This setback is part of the Morse Road Corridor Design Plan providing for these continuing setbacks along Morse Road between Hamilton Road and Johnstown Road (U.S. Route 62).

2. The setback from the centerline of Rocky Fork Creek shall be 150 feet for buildings and parking, loading and maneuvering areas.

3. If two or more parcels are developed for multi-family usage pursuant to a common site development plan, and the respective parcel owners consent, the perimeter yard requirement set forth in Section 3333.255 shall not be applicable with respect to the property lines common to such parcels. In order to administer the above requirement the first parcel to be developed shall provide a 25 foot perimeter yard. The next parcel (i.e. second phase of the multi-family development) shall not be required to provide a 25 foot perimeter yard along its common property line with the first parcel and the first parcel may eliminate its 25 foot perimeter yard along said common property line subject to the requirements of the applicable building code.

4. There shall be an absolute height limit of 50 feet. This height limit shall not apply to monitors, chimneys, cupolas and other architectural elements that require greater height (i.e. church steeples).

B. Access, Loading, Parking and/or Traffic Related Commitments

1. The proposed street alignments and access points are schematic and subject to change

2. Curb cuts along Morse Road shall have a minimum 250 foot spacing from centerline to centerline. These spacing requirements shall not apply to right in/right out curb cuts.

3. Sidewalks shall be installed on one side along all public streets other than Morse Road. Sidewalks may be constructed of asphalt or concrete subject to the approval of the Division of Traffic. In keeping with the rural nature of the Morse Road Corridor Design Plan, Morse Road shall not contain a sidewalk.

4. Parking and loading shall be regulated by Columbus City Code under Chapter 3342.

C. Buffering, Landscaping, Open Space and/or Screening Commitments

1. A street tree row shall be established along all publicly dedicated streets other than Morse Road. Trees are to be a minimum of two and a half inch caliper and shall be spaced at a maximum distance of thirty feet on center. Trees may be grouped, provide the quantity is equivalent to 1 tree per thirty feet or fraction thereof. This requirement may be waived in areas where existing vegetation occurs.

2. Landscaping within the 100 foot parking setback, which creates an open space corridor along Morse Road shall be rural in character and based on the following standard:

a. Within the 100 foot parking setback area, 7 trees shall be planted per 100 lineal feet. Four trees shall be deciduous shade trees, the balance being ornamental trees. The shade and ornamental trees shall be planted randomly and toward the right-of-way in a hedgerow manner and shall be rural in character.

b. Attempts shall be made within the parking setback area to relocate access points and/or utilities to preserve existing trees.

c. Attempts shall be made to preserve any natural features occurring within the parking setback area.

d. A standard 4 rail white horse fence shall be located 2 feet outside the right-of-way and at the 100 foot pavement setback line.

This landscaping standard is part of the Morse Road Corridor Design Plan providing for a common landscaping requirement along Morse Road between Hamilton Road and Johnstown Road (U.S. Route 62).

3. The landscaping requirements may be deleted if existing vegetation occurs within the parking setback area. If gaps exist within existing trees, infill planting shall occur and meet the requirements of said parking setback area, Section 2a.

4. Any surface parking lot excluding loading, and storage area containing more than 6,000 sq. feet or 20 or more vehicular parking spaces shall provide interior landscaping per the requirements of Chapter 3342 of the Columbus City Code in addition to previously required perimeter landscaping.

5. Along the north and east property lines, existing trees in good condition shall be preserved within the parking setback area, except where road crossings and utility crossings are necessary.

6. The landscaping requirements of this section may be satisfied or offset by the preservation of existing vegetation.

7. Unless otherwise specified, minimum size of all plant material at installation shall be 2 ½ " caliper for deciduous shade trees, 6' high for evergreen, and 1 ½ " caliper for ornamental trees.

8. The landscaping required in this section shall count toward satisfying the landscaping requirements of Chapter 3342 of the Columbus City Code.

9. All trees and landscaping shall be well maintained. Dead items, weather permitting, shall be replaced within six months or the next available planting season, whichever occurs first.

D. Building Design and/or Interior-Exterior Treatment Commitments

1. The absolute building height shall be 50 feet.

2. Building materials shall be traditional and natural in appearance, such as brick, stone, wood, and glass. Vinyl and other manufactured materials are permitted as long as they are natural in appearance.

3. Sloped or pitched roofs are encouraged. Flat roofs are allowed only with detailed or decorative cornices.

E. Dumpsters, Lighting, Outdoor Display Areas, and/or other Environmental Commitments

1. All external outdoor lighting fixtures within a given area shall be from the same or similar manufacturer's type to insure compatibility.

2. Parking lot lighting standards shall not exceed 18 feet in height.

3. Unless otherwise required by the utility company, all new wiring within a development shall be underground.

4. All waste and refuse shall be containerized and fully screened from off-site view by a solid wall or fence that is consistent with the building's architecture, and built to a height of six feet with a gate on one side.

F. Graphics and Signage Commitments

1. All signage and graphics shall conform to Article 15 of the Columbus City Graphics Code, as it applies to the AR-12, Apartment Residential Districts. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.

SUBAREA 15-25.8CW- ACRES (PUD-8)

Subarea 15 is located east of Hamilton Road on the north side of Thompson Road.

2. PERMITTED USES: The maximum density in this subarea shall be 309 units. The only permitted use are those contained in Section 3333.02 (AR-12, Apartment Residential Districts) of the Columbus City Code and/or Section 3332.037 (R-2F Residential District) of the Columbus City Code.

3. DEVELOPMENT STANDARDS: Except as otherwise noted above and therein, the applicable development standards of Chapter 3333, (AR-12, Apartment Residential Districts) shall apply to land development pursuant to Section 3333.02 and the development standards for Chapter 3332 shall apply to land development pursuant to Section 3332.037.

A. Density, Height, Lot and/or Setback Requirements

1. The setback from the Thompson Road right-of-way shall be 10 feet for all buildings and 30 feet for parking, loading and maneuvering areas.

2. If two or more parcels are developed for multi-family usage pursuant to a common site development plan, and the respective parcel owners consent, the perimeter yard requirement set forth in Section 3333.255 shall not be applicable with respect to the property lines common to such parcels. In order to administer the above requirement the first parcel to be developed shall provide a 25 foot perimeter yard. The next parcel (i.e. second phase of the multi-family development) shall not be required to provide a 25 foot perimeter yard along its common property line with the first parcel and the first parcel may eliminate its 25 foot perimeter yard along said common property line subject to the requirements of the applicable building code.

3. There shall be an absolute height limit of 50 feet. This height limit shall not apply to monitors, chimneys, cupolas and other architectural elements that require greater height (i.e. church steeples).

B. Access, Loading, Parking and/or Traffic Related Commitments

1. The proposed street alignments and access points are schematic and subject to change.

2. Curb cuts along Thompson Road shall have a minimum 250-foot spacing from centerline to centerline. These spacing requirements shall not apply to right in/right out curb cuts.

3. Sidewalks shall be installed on one side along all public streets. Sidewalks may be constructed of asphalt or concrete subject to the approval of the Division of Traffic.

4. Parking and loading shall be regulated by Columbus City Code under Chapter 3342.

C. Buffering, Landscaping, Open Space and/or Screening Commitments

1. A street tree planting shall be established along Thompson Road. Trees are to be a minimum of two and a half inch caliper and shall be spaced at a maximum distance of 30 feet on center. Trees may be grouped, provided the quantity is equivalent to 1 tree per thirty feet or fraction thereof. This requirement may be waived in areas where existing vegetation occurs.

2. Landscaping within the 30 foot parking setback along Thompson Road shall be rural in character and based on the following standard:

a. Within the parking setback there shall be 4 trees planted per 100 lineal feet in a hedgerow manner or grouped. Trees may be deciduous, ornamental, evergreen or any combination thereof.

3. Tree Preservation: Reasonable and good faith efforts will be made to preserve existing trees and tree rows occurring within this subarea. Consideration will be given to laying out streets, lots, structures and parking areas to avoid the unnecessary destruction of these wooded areas. Additionally, standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line.

4. The landscaping requirements may be deleted if existing vegetation occurs within the parking setback area. If gaps exist within existing trees, infill planting shall occur and meet the requirements of said parking setback area. Section 2a.

5. All parking areas along Thompson Road shall have headlight screening with a minimum height of 30 inches measured from the elevation of the nearest section of the adjacent parking area. Headlight screening shall be in the form of horse fencing, mounding, hedge, shrub or any combination thereof.

6. Any surface parking lot excluding loading, and storage areas containing more than 6,000 sq. feet or 20 or more vehicular parking spaces shall provide interior landscaping per the requirements of Chapter 3342 of the Columbus City Code in addition to previously required perimeter landscaping.

7. Along the north, east and west property lines, existing trees in good condition shall be preserved within the parking setback area, except where road crossings and utility crossings are necessary.

8. The landscaping requirements of this section may be satisfied or offset by the preservation of existing vegetation.

9. Unless otherwise specified, minimum size of all plant material at installation shall be 2 ½ " caliper for deciduous shade trees, 6' high for evergreen, and 1 ½" caliper for ornamental trees.

10. The landscaping required in this section shall count toward satisfying the landscaping requirements of Chapter 3342 of the Columbus City Code.

11. All trees and landscaping shall be well maintained. Dead items, weather permitting, shall be replaced within six months or the next available planting season, whichever occurs first.

D. Building Design and/or Interior-Exterior Treatment Commitments

1. The absolute building height shall be 50 feet.

2. Building materials shall be traditional and natural in appearance, such as brick, stone, wood, and glass. Vinyl and other manufactured materials are permitted as long as they are natural in appearance.

3. Sloped or pitched roofs are encouraged. Flat roofs are allowed only with detailed or decorative cornices.

E. Dumpsters, Lighting, Outdoor Display Areas, and/or other Environmental Commitments

1. All external outdoor lighting fixtures within a given area shall be from the same or similar manufacturer's type to insure compatibility.

2. Parking lot lighting standards shall not exceed 18 feet in height.

3. Unless otherwise required by the utility company, all new wiring within a development shall be underground.

4. All waste and refuse shall be containerized and fully screened from off-site view by a solid wall or fence that is consistent with the building's architecture, and built to a height of six feet with a gate on one side.

F. Graphics and Signage Commitments

1. All signage and graphics shall conform to Article 15 of the Columbus City Graphics Code, as it applies to the AR-12, Apartment Residential Districts. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.

SUBAREA 16- 32.3+/- ACRES (PUD-8)

Subarea 16 is located east of Hamilton Road and on the north side of Thompson Road.

2. PERMITTED USES: The maximum density in this subarea shall be 387 units. The only permitted uses are those contained in Section 3333.02 (AR-12, Apartment Residential Districts) of the Columbus City Code and/or Section 3332.037 (R-2F Residential District) of the Columbus City Code

3. DEVELOPMENT STANDARDS: Except as otherwise noted above and therein, the applicable development standards of Chapter 3333, (AR-12, Apartment Residential Districts) shall apply to lane development pursuant to Section 3333.02 and the development standards for Chapter 3332 shall apply to land development pursuant to Section 3332.037.

A. Density, Height, Lot and/or Setback Requirements

1. The setback from the Thompson Road and any other public street shall be 10 feet for all buildings and 30 feet for parking, loading and maneuvering areas.

2. If two or more parcels are developed for multi-family usage pursuant to a common site development plan, and the respective parcel owners consent, the perimeter yard requirement set forth in Section 3333.255 shall not be applicable with respect to the property lines common to such parcels. In order to administer the above requirement the first parcel to be developed shall provide a 25 foot perimeter yard. The next parcel (i.e. second phase of the multi-family development) shall not be required to provide a 25 foot perimeter yard along its common property line with the first parcel and the first parcel may eliminate its 25 foot perimeter yard along said common property line subject to the requirements of the applicable building code.

3. There shall be an absolute height limit of 50 feet. This height limit shall not apply to monitors, chimneys, cupolas and other architectural elements that require greater height (i.e. church steeples).

B. Access, Loading, Parking and/or Traffic Related Commitments

1. The proposed street alignments and access points are schematic and subject to change.

2. Curb cuts along Thompson Road shall have a minimum 250 foot spacing from centerline to centerline. This spacing requirement shall not apply to right in/right out curb cuts.

3. Along the east border of Subarea 16 a collector shall be developed labeled "North/South Road". Such collector shall be developed as a public street or as a private street with a public easement to the City allowing the public to use such street This North/South Road shall be constructed when development (other than the installation of utility lines) occurs within 400 feet of such road in either Subareas 8 or 16.

4. Sidewalks shall be installed on one side along all public streets. Sidewalks may be constructed of asphalt or concrete subject to the approval of the Division of Traffic.

5. Up to fifteen (15) percent of the total number of required parking spaces may be satisfied by the use of on-street parking spaces.

6. Parking and loading shall be regulated by Columbus City Code under Chapter 3342.

C. Buffering, Landscaping, Open Space and/or Screening Commitments

1. A street tree planting shall be established along Thompson Road. Trees are to be a minimum of two and a half inch caliper and shall be spaced at a maximum distance of thirty feet on center. Trees may be grouped, provided the quantity is equivalent to 1 tree per thirty feet or fraction thereof. This requirement may be waived in areas where existing vegetation occurs.

2. Landscaping within the 30 foot parking setback along Thompson Road and the shall be rural in character and based on the following standard:

a. Within the parking setback there shall be 4 trees planted per 100 lineal feet in a hedgerow manner or grouped. Trees may be deciduous, ornamental, evergreen or any combination thereof.

3. Tree Preservation: Reasonable and good faith efforts will be made to preserve existing trees and tree rows occurring within this subarea. Consideration will be given to laying cut streets, lots, structures and parking areas to avoid the unnecessary destruction of these wooded areas. Additionally, standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line.

4. The landscaping requirements may be deleted if existing vegetation occurs within the parking setback area. If gaps exist within existing trees, infill planting shall occur and meet the requirements of said parking setback area, Section 2a.

5. All parking areas along Thompson Road shall have headlight screening with a minimum height of 30 inches measured from the elevation of the nearest section of the adjacent parking area. Headlight screening shall be in the form of horse fencing, mounding, hedge, shrub or any combination thereof.

6. Any surface parking lot excluding loading, and storage area containing more than 6,000 sq. feet or 20 or more vehicular parking spaces shall provide interior landscaping per the requirements of Chapter 3342 of the Columbus City Code in addition to previously required perimeter landscaping.

7. Along the north property line, existing trees in good condition shall be preserved within the parking setback area, except where road crossings and utility crossings are necessary.

8. The landscaping requirements of this section may be satisfied or offset by the preservation of existing vegetation.

9. Unless otherwise specified, minimum size of all plant material at installation shall be 2½" caliper for deciduous shade trees, 6' high for evergreen, and 1½" caliper for ornamental trees.

10. The landscaping required in this section shall count toward satisfying the landscaping requirements of Chapter 3342 of the Columbus City Code.

11. All trees and landscaping shall be well maintained. Dead items, weather permitting, shall be replaced within six months or the next available planting season, whichever occurs first.

D. Building Design and/or Interior-Exterior Treatment Commitments

1. The absolute building height shall be 50 feet.

2. Building materials shall be traditional and natural in appearance, such as brick, stone, wood, and glass. Vinyl and other manufactured materials are permitted as long as they are natural in appearance.

3. Sloped or pitched roofs are encouraged. Flat roofs are allowed only with detailed or decorative cornices.

E. Dumpsters. Lighting. Outdoor Display Areas, and/or other Environmental Commitments

1. All external outdoor lighting fixtures within a given area shall be from the same or similar manufacturer's type to insure compatibility.

2. Parking lot lighting standards shall not exceed 18 feet in height.

3. Unless otherwise required by the utility company, all new wiring within a development shall be underground.

4. All waste and refuse shall be containerized and fully screened from off-site view by a solid wall or fence that is consistent with the building's architecture, and built to a height of six feet with a gate on one side.

F. Graphics and Signage Commitments

1. All signage and graphics shall conform to Article 15 of the Columbus City Graphics Code, as it applies to the AR-12, Apartment Residential Districts. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.

G. General Requirements

1. The design of the North/South Road shall be subject to the review and approval of the Division of Traffic.

2. The developer shall install left turn lanes at the intersection of the North/South Road with Morse Road intersection. Length of the turn lanes are the requirement of any right turn lanes at that intersection shall be determined by a traffic analysis of the same performed by the Developer. The Developer shall also install any required traffic signalization devices for that intersection.

3. Left turn lanes shall be provided on each approach at the Thompson Road and the North/South Road intersection. Stop-sign controls shall be installed at the Thompson Road intersection for the North/South Road until observed traffic volumes exceed the warrants for a traffic signal.

4. When the development in Subarea A1, B1, B4, or B5 exceeds sixty platted lots, then the Developer shall perform a traffic analysis of the Hamilton Road/Preserve Boulevard intersection to determine what improvements are necessary to that intersection to accommodate the additional development. The Developer shall install the required improvement from which shall also include a 3 lane section of Hamilton Road from said intersection to the north line of Subarea E1.

5. The Developer shall create a two lane section with a third turn lane at major intersections along its Thompson Road frontage as each subarea is developed or such other configuration as shall be approved by the Division of Traffic.

6. These traffic improvements may be installed in phases as the adjoining subareas are developed.

7. The required traffic improvements shall be reviewed and approved by the appropriate governmental agency and may be modified or changed by the appropriate governmental agency at the request of the developer.

8. Curb cut distances are measured from centerline of one curb to the centerline of the next curb cut.

9. Pedestrian System: An overall walking/hiking path system, based on the proposed road layout, shall be established to provide a connection between the various subareas.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0381-02

To authorize the Director of the Public Service Department to execute those documents required to release the 10 foot wide platted easement north of Weber Road as shown on the plat titled "North Glen Echo" of record in Plat Book 21, Page 30, Franklin County, Ohio, Recorder's Office.

WHEREAS, by virtue of the plat titled "North Glen Echo" of record in Plat Book 21, Page 30, Franklin County, Ohio, Recorder's Office, the City of Columbus is the owner of a 10 foot wide platted easement north of Weber Road; and

WHEREAS, a two story brick office building was constructed over this platted easement in 1971; and

WHEREAS, this encroachment was discovered when the current property owners, James M. Ryan, Jeffrey F. Bringardner and Karl Jentken, purchased this property; and

WHEREAS, the Public Service Department, Division of Transportation, has received a request from the owners of this property asking for the release of the existing platted easement to clear a "cloud on the title" to this property; and

WHEREAS, the City has established a value of \$500.00 for the release of this easement; and

WHEREAS, after investigation, it has been determined that the release of the platted easement will not adversely affect the City and that the requested release should be granted; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Public Service Department be and is hereby authorized to execute those documents prepared by the Department of Law, Real Estate Division, necessary to release the following described 10 foot wide platted easement as requested by James M. Ryan, Jeffrey F. Bringardner and Karl Jentken, to-wit:

Situated in the State of Ohio, County of Franklin, City of Columbus, being all of a 10 foot wide easement as it crosses a 0.648 Acre tract conveyed to James M. Ryan, et al, in Instrument Number 200004280083207, as said easement is delineated on the plat of North Glen Echo as recorded in Plat book 21, Page 30, all records being of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Commencing at the northwest corner of Lot 1 of said North Glen Echo, also being the northwest corner of said 0.648 Acre tract;

Thence, along part of the west lines of said Lot 1 and said 0.648 Acre tract, South 03 degrees 09 minutes 20 seconds East, 120.07 feet to the north line of said 10 foot wide easement and the True Point of Beginning of the parcel herein intended to be described;

Thence, along the north line of said easement and across Lots 1, 2, 3 and part of Lot 4 of said North Glen Echo and across said 0.648 Acre tract. South 86 degrees 24 minutes 47 seconds East, 141.94 feet to the east line of said 0.648 Acre tract;

Thence, across said easement and part of said Lot 4, along part of the east line of said 0.648 Acre tract, South 02 degrees 45 minutes 24 seconds East, 10.06 feet to a point in the south line of said easement;

Thence, along the south line of said easement and across said 0.648 Acre tract, North 86 degrees 24 minutes 47 seconds West, 141.87 feet to a point in the west lines of said 0.648 Acre tract and said easement;

Thence along the west lines of said easement and said 0.648 Acre tract, and part of said Lot 1, North 03 degrees 09 minutes 20 seconds West, 10.07 feet to the True Point of Beginning, containing 1419 square feet.

Matthew D. Parley, Registered Surveyor No. 7566

Section 2. That the City shall receive \$500.00, to be deposited in Fund 748, Project 537650, as consideration for the release of the platted easement rights.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0401-02

To authorize and direct the Director of Recreation and Parks to grant consent to various organizations to apply permission to sell alcoholic beverages at the following 2002 events: Columbus Arts Festival, Festival Latino, Comfest, Pride Holiday, Red, White & Boom, Jazz & Rib Festival, Varsity Club Block Party, Night Moves, Hot Times Community Arts & Music Festival; and Italian Festival.

WHEREAS, the following special events will take place during 2002: Columbus Arts Festival, Festival Latino, Comfest, Pride Holiday, Red, White & Boom, Jazz & Rib Festival, Varsity Club Block Party, Night Moves, Hot Time Community Arts & Music Festival; and Italian Festival, and

WHEREAS, following precedent the organizers of these events wish to sell alcoholic beverages at said event and

WHEREAS, to this end, permission from the City of Columbus is required as it is the property owner involved now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Recreation and Parks be and is hereby authorized and directed to grant consent on behalf of the City of Columbus to the following organizations to apply for appropriate liquor permits to enable the later to sell alcoholic beverages during the hours specified in said permits and at specified locations during their 2002 special events:

- 1) Greater Columbus Arts Council for the Columbus Arts Festival, June 6-9;
- 2) Ohio Hispanic Coalition for the Festival Latino, June 21-22;
- 3) Community Festival, Inc. for the Comfest, June 28-30;
- 4) Stonewall Community Agency, Inc. for the Pride Holiday, June 29;
- 5) Red, White & Boom, Inc. for Red, White & Boom, July 3;
- 6) Greater Columbus Chamber of Commerce for the Jazz & Rib Festival, July 19-20;
- 7) Kids 'n Kamp for the Varsity Club Block Party, Sept. 7, Sept. 28, Oct. 26, and Nov. 23;
- 8) Neighborhood Services, Inc. for the Varsity Club Block Party, Aug. 24, Sept. 14, Oct. 12, and Nov. 9;
- 9) March of Dimes for the Night Moves, September 13;
- 10) Arts Foundation of Olde Towne for the Hot Times Community Arts & Music Festival, Sept. 6-8; and
- 11) St. John's The Baptist Catholic Church for the Italian Festival, September 27-29.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0402-02

To waive the appropriate section of the Columbus City Codes, and to authorize the Director of Recreation and Parks issue a Block Party Permit for the 2002 Columbus Arts Festival for more than five consecutive days.

WHEREAS, the 2002 Columbus Arts Festival is to be held on the streets, sidewalks, and parklands Columbus from Thursday, June 5 through Monday, June 10, 2002; and

WHEREAS, the Greater Columbus Arts Council plans to make application with the Columbus Recreation and Parks Department for a Block Party Permit to close various public streets necessary to conduct the 2002 Columbus Arts Festival; and

WHEREAS, the duration of the street closures for the 2002 Columbus Arts Festival will exceed the maximum allowable closure period of five (5) consecutive days, as contained in Section 923.03(c) of the Columbus City Codes; and

WHEREAS, it is necessary to waive Section 923.03(c) of the Columbus City Codes to authorize the Director of Recreation and Parks to issue a Block Party Permit for the 2002 Columbus Arts Festival for the closures of streets for more than five (5) consecutive days; now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That Section 923.03(c) of the Columbus City Codes be and is hereby waived as pertaining to the 2002 Columbus Arts Festival for the limited purpose of closing streets for more than five (5) consecutive days.

Section 2. That the Director of Recreation and Parks be and is hereby authorized to issue a Block Party Permit for the 2002 Columbus Arts Festival for more than five (5) consecutive days, upon receipt of a completed application for a Block Party Permit meeting all existing requirements for issuance of said permit.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allow by law.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0403-02

To authorize the City Treasurer to modify existing agreements with the Huntington National Bank for the provision of banking services for the collection of water payments; to authorize the expenditure of up to \$45,000 from the Water Operating Fund. (\$45,000)

WHEREAS, the City Treasurer wishes to extend the agreements for the provision of banking services as provided for in a Request for Proposal issued on July 11, 1995 and for which approval for extensions of such contracts was approved by the Columbus Depository Commission at a meeting held on December 21, 2001, and

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS •

Section 1. That the City Treasurer is hereby authorized to modify existing agreements with the Huntington National Bank for the provision of banking services necessary for the collection of water payments for the Division of Water for the period of March 1, 2002 through February 28, 2003 in the amount of \$45,000, or as much thereof as may be necessary from the Water Operating Fund 600, Division of Water 60-09, as follows

<u>OCA Code</u>	<u>Object Level 1</u>	<u>Object Level 3</u>	<u>Purpose</u>	<u>Amount</u>
602193	03	3348	Banking Services	\$45,000

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0404-02

To accept the plat titled GALLOWAY RIDGE SECTION 6 PART 1, from Dominion Homes, Inc., an Ohio corporation, by David S. Borrer, Executive Vice President.

WHEREAS, the plat titled GALLOWAY RIDGE SECTION 6 PART 1 (hereinafter "plat"), has been submitted to the City Engineer's Office for approval and acceptance; and

WHEREAS, Dominion Homes, Inc., an Ohio corporation, by David S. Borrer, Executive Vice President, owner of the platted land, desires to dedicate to the public use all or such parts of the Drives and Lanes shown on said plat and not heretofore so dedicated; and

WHEREAS, after examination, it has been found to be in the best interest of the City to accept said plat; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the plat titled GALLOWAY RIDGE SECTION 6 PART 1 on file in the office of the City Engineer, Engineering and Construction Division, be and the same is hereby accepted.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO 0405-02

To authorize the Director of the Department of Development to enter into contract with the Community Development Collaborative of Greater Columbus; and to authorize the expenditure of \$30,000.00 from the FY2002 Community Development Block Grant Fund. (\$30,000)

WHEREAS, the Director of the Department of Development desires to enter into contract with the Community Development Collaborative of Greater Columbus to provide training opportunities for community-based nonprofit development organizations; and

WHEREAS, the training will increase the capacity of community-based nonprofit development organizations to effectively work with and use various housing and economic development programs; and now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Department of Development be and is hereby authorized to contract with the Community Development Collaborative of Greater Columbus to provide training opportunities for community-based nonprofit development organizations.

Section 2. That this contract is awarded in accordance with Chapter 329.29 of the Columbus City Codes, 1959, as amended.

Section 3. That the expenditure of \$30,000.00 or so much thereof as may be necessary is hereby authorized to be expended from the Department of Development, Department No. 44-10, Fund 248, Object Level One 03, Object Level Three 3337, OCA Code 441009.

Section 4. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0458-02

To grant a Variance from the provisions of Section 3333.04. AR-0 Apartment Residential Office District of Columbus City Codes; for the property located at 1880 EAST DUBLIN-GRANVILLE ROAD (43229), to permit a trade school in the AR-0 Apartment Residential Office District.

WHEREAS, by application No. CV02-005, the owner of property at 1880 EAST DUBLIN-GRANVILLE ROAD (43229), is requesting a Council Variance to permit a trade school for medical and dental training in the AR-0 Apartment Residential Office District; and

WHEREAS, Section 3333.04, AR-0 Apartment Residential Office District, provides for apartment residential and office uses, while the applicant proposes to develop a trade school for medical and dental training which is permitted in the C-2, Commercial District; and

WHEREAS, City Departments note a hardship exists and recommend approval because contractual obligations require Council action prior to competition of the pending rezoning application; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed use; and

WHEREAS, said variance will not adversely affect the surrounding property or surrounding neighborhood; and

WHEREAS, the granting of said variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion of public streets, or unreasonably diminish or impair established property values within the surrounding area, or otherwise impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus; and

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at 1880 EAST DUBLIN-GRANVILLE ROAD (43229), in using said property as desired; now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That a variance from the provisions of Section 3333.04, AR-0 Apartment Residential Office District of Columbus City Codes are hereby granted for the property located at 1880 EAST DUBLIN-GRANVILLE ROAD (43229), insofar as said sections prohibit a trade school for medical and dental training, said property being more particularly described as follows:

Parcel 1

Situated in the County of Franklin, State of Ohio and in the City of Columbus:

Beginning at the southeasterly corner of that 0.051 acre tract of land described in a deed to The Ohio National Bank of Columbus, of record in Deed Book 3026, page 139;

Thence N 2° 08' 30" E, with the easterly line of said 0.051 acre tract, and with the easterly line of that 0.731 acre tract of land described in a deed to 5000 Inc., of record in Deed Book 2992, page 539, a distance of 336.26 feet to a point;

Thence S 87° 51' 30" E, a distance of 256.00 feet to a point;

Thence S 2° 08' 30" W, a distance of 337.97 feet to a point in a northerly right-of-way line of Dublin-Granville Road (State Route 161);

Thence with northerly right-of-way lines of said Dublin-Granville Road (State Route 161), the following three (3) courses and distances;

N 79° 19' 41" W, a distance of 87.47 feet to a point;

S 80° 49' 54" W, a distance of 101.98 feet to a point;

Thence N 80° 41' 20" W, a distance of 70.05 feet to the point of beginning and containing 1.971 acres of land, more or less.

Parcel 2

Situated in the County of Franklin, State of Ohio and in the City of Columbus:

Being in Quarter Township 4, Township 2, Range 18, United States Military Lands, containing 0.376 acres, more or less, being part of that original 98.424 acre tract of land described in a deed to Reese & Company and Complete General Construction Company, of record in D.B. 2768, page 308 (all references to deed books in this description refer to the records of the Recorder's Office, Franklin County, Ohio), said 0.376 acres also being part of that original 33.872 acre tract of land described in a deed to Reese & Company and Complete General Construction Company, of record in D.B. 3111, page 4, said 0.376 acres being more particularly described as follows:

Beginning at a point in a westerly line of said 33.872 acre tract, an easterly line of that 0.731 acre tract of land described in a deed to 5900, Inc., of record in D.B. 2992, page 539, said point of beginning being the northwesterly corner of that 1.971 acre tract of land described in a deed to Fredrick D. Schaaf and Anna Gene Schaaf, of record in D.B. 3180, page 286;

Thence N 2° 08' 30" E, with a westerly line of said 33.872 acre tract, the easterly line of said 0.731 acre tract, a distance of 40.01 feet to a point in the southerly line of that 0.967 acre tract of land described in a deed to Oliver-Taggart Company, of record in D.B. 2991, page 622;

Thence N 89° 24' 56" E, with a northerly line of said 33.872 acre tract, the southerly line of said 0.967 acre tract, a distance of 21.72 feet to a point;

Thence N 6° 58' 37" W, with a westerly line of said 33.872 acre tract, the easterly line of said 0.967 acre tract, a distance of 25.17 feet to a point;

Thence S 87° 51' 30" E, a distance of 238.29 feet to the northwesterly corner of that 3.320 acre tract of land described in a deed to The Prudential Insurance Company of America, of record in D.B. 3179, page 389;

Thence S 2° 08' 30" W, with the westerly line of said 3.320 acre tract, a distance of 65.90 feet to a northeasterly corner of said 1.971 acre tract;

Thence N 87° 51' 30" W, with the northerly line of said 1.971 acre tract, a distance of 256.00 feet to the point of beginning and containing 0.376 acres of land, more or less.

Section 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a trade school for medical and dental training, or those uses permitted in the, AR-0 Apartment Residential Office District.

Section 3. That this ordinance is further conditioned on applicant's filing, within 12 months of this ordinance's effective date, a complete rezoning application to establish an appropriate commercial district for the proposed use.

Section 4. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0459-02

To rezone 1900 SCHROCK ROAD (43229), being 2.13± acres located on the north side of Schrock Road, 350± feet west of Sharon Woods Boulevard, From: R-1, Residential and R. Rural Districts, To: L-C-2, Limited Commercial District and to declare an emergency.

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to pass this ordinance as an emergency measure because of the need to get back on schedule due to heavy caseload in development dept. forcing our request to be delayed and that this is for the same reason necessary for the immediate preservation of the public peace, property, health or safety; and

WHEREAS, application #Z01-098 is on file with the Building Services Division of the Department of Development requesting rezoning of 2.13± acres from R-1, Residential and R. Rural Districts to L-C-2, Limited Commercial District; and

WHEREAS, the Development Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the requested L-C-2, Limited Commercial District would allow office uses with carefully controlled development standards. The office use provides appropriate for transition between the commercial shopping center to the east and the multi-family residential uses to the west, now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Zoning Map attached to Ordinance No. 1620-77, passed September 19, 1977, and as subsequently amended be, and the same is hereby revised by changing the zoning of the property as follows:

1900 SCHROCK ROAD (43229), being 2.13± acres located on the north side of Schrock Road, 350± feet west of Sharon Woods Boulevard, and being more particularly described as follows:

Tract 1: Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Lot Four, Section One, Township Two, Range Eighteen, United States Military Lands, also being all of the premises conveyed to Marcus A. Montgomery (Instrument Number 200111280275820) and being more particularly described as follows:

Beginning at a point on the centerline of Old Schrock Road at the northwesterly corner of Lot 915 of Sharon Woods Section 8 (Plat Book 45, Page 82) and being the southeasterly corner of said Montgomery tract;

Thence, along the centerline of Old Schrock Road, along the southerly line of said Montgomery tract South 60 degrees 22 minutes 56 seconds West, 295.00 feet to the southwesterly corner of said Montgomery tract;

Thence, along the westerly line of said Montgomery tract, North 02 degrees 25 minutes 10 seconds East, 343.97 feet to a point at the northwesterly corner of said Montgomery tract, also being on the southerly right-of-way line of Interstate Route 270;

Thence along the northerly line of said Montgomery tract, along the southerly line of said Interstate Route 270, South 75 degrees 26 minutes 35 seconds East, 255.79 feet to a point at the northeasterly corner of said Montgomery tract;

Thence, along the easterly line of said Montgomery tract, South 02 degrees 25 minutes 10 seconds West, 133.70 feet to the place of beginning CONTAINING 1.371 ACRES. Basis of bearings is the centerline of Old Schrock Road as North 60 degrees 22 minutes 56 seconds East per O.D.O.T. plans FRA 270-16.58F sheet 417 of 422 also labeled sheet 17 of 22.

Tract 2: Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Section One, Township Two, Range Eighteen, United States Military Lands also being part of the premises conveyed to the Deborah L. Montgomery, Number 200106120132089), and being more particularly described as follows:

Beginning at a point on the centerline of Old Schrock Road at the northwesterly corner of Lot 915 of Sharon Woods Section 8. (Plat Book 45, Page 82), and being the northeasterly corner of said Montgomery tract;

Thence, along part of the easterly line of said Montgomery tract, South 02 degrees 25 minutes 10 seconds West, 222.24 feet to a point on the north right-of-way line of Schrock Road (State Route #710);

Thence, along the northerly right-of-way of said Schrock Road (State Route #710), and across said Montgomery tract the following two courses and distances:

1) North 87 degrees 10 minutes 18 seconds West, 214.19 feet to a point;

2) North 04 degrees 31 minutes 23 seconds East. 88.78 feet to a point on the centerline of said Old Schrock Road and on the northerly line of said Montgomery tract;

Thence, along the centerline of Old Schrock Road, along the part of the northerly line of said Montgomery tract, North 60 degrees 22 minutes 56 seconds East, 248.82 feet to the place of the beginning CONTAINING 0.756 ACRES. Basis of bearings is the centerline of Old Schrock Road as North 60 degrees 22 minutes 56 seconds East per O.D.O.T. plans FRA 270-16.58N sheet 417 of 422 also labeled sheet 17 of 22.

To Rezone From: R-1, Residential and R, Rural Districts,

To: L-C-2, Limited Commercial District.

Section 2. That a Height District of Thirty-five (35) feet is hereby established on the L-C-2, Limited Commercial District on this property.

Section 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved L-C-2, Limited Commercial District and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said text being titled, "LIMITATION TEXT," signed by William A. Goldman, Attorney for the Applicant, dated December 3, 2001, and reading as follows:

LIMITATION TEXT

PROPOSED DISTRICT:	L-C-2
PROPERTY ADDRESS:	1900 Schrock Road, Columbus, Ohio 43229
OWNERS:	Marcus Montgomery; P.O. Box 14972; Bradenton, FL 34280-4972 Deborah Montgomery; 5900 Sharon Woods Blvd., Suite C; Columbus, OH 43229
APPLICANT:	Michael Montgomery; 5900 Sharon Woods Blvd., Suite C; Columbus, OH 43229
DATE OF TEXT:	December 3, 2001
APPLICATION NUMBER:	Z01 -098

1. INTRODUCTION: The northern two parcels, owned by Marcus Montgomery, abut U.S. Route 270 directly to the North and Old Schrock Road to the South. Access to these parcels is from Old Schrock Road. To the East side of these parcels is the strip center known as Schrock 270 Center. The parcel to the West, owned by Comet Holdings, Inc., is used for telecommunications towers. Further to the West is the apartment complex known as Hickory Creek Apartments. The third parcel is a wedge-shaped parcel located to the south of the other two parcels between Old Schrock Road and Schrock Road. The Applicant intends to convert the existing single family home located on parcel number 010-204038 into a State Farm agency, to be operated by Deborah Montgomery, the Applicant's spouse. The Applicant is requesting an L-C-2 Limited Overlay District. The area will comply with all Columbus City Code requirements.

2. PERMITTED USES: Commercial offices and those other uses as specified and permitted in the C-2 zoning district under the Columbus City Code, except as prohibited below:

Public or Private Hospital, Apartments over Storerooms, Off Premise Graphics or Billboards, Armory, Trade or Business School, Radio or television studio or telephone exchange together with concealed electric substation necessary for such use.

3. DEVELOPMENT STANDARDS:

A. Density. Lot and /or Setback Commitments.

1. With respect to future development or redevelopment on the site, parking setbacks shall be at least 30 feet from Schrock Road, 10 feet from the east and west property lines, 10 feet from the 1-270 line and 2 feet from Old Schrock Road, so long as it exists as a public right-of-way.

2. For structures and paved areas, lot coverage shall not exceed 80%.

B. Access. Loading. Parking, and /or Other Traffic Related Commitments.

1. Access to the site will be from Old Schrock Road, and no access directly onto Schrock Road will be permitted.

2. Major driving aisles and curb lanes shall be defined with raised-curb island dividers or medians. Raised areas shall be planted and maintained with trees and other landscaping to increase visibility of the island as outlined below. This requirement shall only apply for parking lots that contain more than 20 parking spaces.

C. Buffering. Landscaping. Open Space, and/or Screening Commitments.

1. One tree shall be planted for every 40 feet of frontage. Trees may be grouped or spaced and shall be at least 10 feet from the right-of-way. The currently existing trees on the site shall satisfy this requirement to the extent they are left remaining.

2. One tree shall be planted for every 10 parking spaces. Trees shall be planted in islands or medians (if any exist on the site pursuant to Section 3(B)(2) above), which are at least 5 feet wide. The trees may be grouped or spaced, and the existing trees on the site shall satisfy this requirement to the extent they are left remaining.

3. Minimum deciduous tree diameter shall be 2 inches measured at 4 feet from the ground for newly planted trees. Evergreens shall be at least 5 feet high for newly planted trees. Street trees shall be at least 3 inches in diameter for newly planted trees.
 4. All trees and landscaping shall be well maintained. Dead trees and landscaping shall be replaced within six months or the next planting season, whichever occurs first.
 5. Mature trees within the site that do not interfere with the building layout, parking, and signage shall be preserved to the extent possible. Mature trees that are dead, diseased, or aesthetically obtrusive on the site can be removed as long as the above tree requirements are met.
 6. A continuous row of shrubbery, thirty (30) inches high, shall be planted along the parking area facing Schrock Road for purposes of screening headlights from the public right-of-way.
 7. Loading areas, if any, shall be fully screened by structures and/or landscaping to a minimum height of six feet. Such screening shall maintain at least 90% opacity.
 - D. Building Designs and/or Interior-Exterior Commitment.
 1. Any mechanical equipment or utility hardware on the roof of a building shall be screened from view to prevent the equipment from being visible from the property line of the parcel and the interstate. Ground mounted mechanical or utility equipment shall be fully screened from view from ground level by landscaping or any fence or wall utilizing comparable and compatible materials as the building materials.
 2. For the purposes of new development or redevelopment on the site, buildings shall be constructed of any combination of the following: brick (or other masonry product), stucco, stone (natural or man-made), split-faced block, wood or siding (excluding vinyl siding).
 3. All buildings shall have a pitched or angled roof.
 - E. Dumpsters, Lighting, Outdoor Display Areas, and/or Environmental Commitments.
 1. All non-decorative lighting shall be cut-off fixtures (down-lighting). Decorative lighting shall not exceed 4,000 lumens per light fixture.
 2. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturer's type to insure compatibility.
 3. Light poles in the parking lot, if any, shall not exceed 18 feet.
 4. Dumpsters shall be fully screened on all four sides to a minimum height of six feet or a height equal to that of the dumpster, whichever is greater. Such screening shall maintain at least 90% opacity.
 5. Ground mounted illumination shall be concealed from view of the public right-of-way by a landscape screen of low shrubs or equivalent.
 - F. Graphics and/or Signage Commitments.
 1. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code, and any variance to those requirements shall be submitted to the Columbus Graphics Commission for consideration.
 - G. Miscellaneous Commitments.
 1. All utilities shall be located underground.
 2. A parkland dedication fee will be paid by Applicant prior to zoning clearance approval.
- Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.
- Passed as amended April 01, 2002, Matthew D. Habash, President of Council / Approved as amended April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0460-02

To rezone 775 GEORGESVILLE ROAD (43235), being 37.31 ± acres located on the west side of Georgesville Road at the terminus of Clime Road, From: R-1, Residential District, To: L-C-5, Limited Commercial, L-C-3, Limited Commercial and R-2, Residential Districts.

WHEREAS, application #Z01-059 is on file with the Building Services Division of the Department of Development requesting rezoning of 37.31 ± acres from R-1, Residential District to L-C-5, Limited Commercial, L-C-3, Limited Commercial and R-2, Residential Districts; and

WHEREAS, the Development Commission recommends approval of said zoning change; and

WHEREAS, the Greater Hilltop Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change the applicant requests the L-C-5 and L-C-3, Limited Commercial and R-2, Residential Districts to develop the site with commercial and single-family residential development. The L-C-3 and L-C-5 texts prohibit the more intense commercial uses; provide landscaping and buffering between commercial and residential uses and maximum 18-foot down lighting. This proposal is consistent and compatible with the established land uses in the area, now, therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Zoning Map attached to Ordinance No. 1620-77, passed September 19, 1977, and as subsequently amended be, and the same is hereby revised by changing the zoning of the property as follows:

775 GEORGESVILLE ROAD (43235), being 37.31 ± acres located on the west side of Georgesville Road at the terminus of Clime Road, and being more particularly described as follows:

TRACT I (L-C-5)

DESCRIPTION OF A 2.028 ACRE TRACT FOR ZONING PURPOSES NORTH OF HALL ROAD AND WEST OF GEORGESVILLE ROAD CITY OF COLUMBUS, OHIO

Situate in the State of Ohio, County of Franklin, City of Columbus, and being in Virginia Military Survey No. 1425, and being part of that 37.998 acre tract conveyed to Trembly Family Limited Partnership Two by deed of record in Instrument Number 199804210095605, records of the Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Beginning, at the common corner of said 37.998 acre tract and the remainder of that tract of land conveyed to Albert and Lois Bell by deed of record in Official Record 2125 B12, same being in the westerly right-of-way line of Georgesville Road;

Thence North 78°57'30" West, a distance of 225.49 feet, along a line common to said 37.998 acre tract and said Albert and Lois Bell tract of land, to a point;

Thence the following four (4) courses and distances along a line crossing said 37.998 acre tract:

1. North 11°02'30" East, a distance of 326.80 feet, to a point;
2. North 67°23'37" East, a distance of 174.20 feet, to a point;
3. Along a curve to the right having a central angle of 32°22'02", a radius of 125.00 feet, an arc length of 70.61 feet, a chord which bears North 83°34'38" East, a chord distance of 69.68 feet, to a point

4. Along a curve to the left having a central angle of 16°32'45", a radius of 45.00 feet, an arc length of 13.00 feet, a chord which bears South 88°30'44" East, a chord distance of 12.95 feet, to a point in a line common to said 37.998 acre tract and the right-of-way of said Georgesville Road;
Thence the following six (6) courses and distances along a line common to said 37.998 acre tract and the right-of-way of said Georgesville Road:

1. South 14°07'44" West, a distance of 32.56 feet, to a point;
2. South 10°33'30" West, a distance of 194.68 feet, to a point;
3. South 12°12'58" West, a distance of 65.66 feet, to a point;
4. South 20°20'45" West, a distance of 35.36 feet, to a point;
5. South 07°27'08" West, a distance of 60.21 feet, to a point;
6. South 06°30'19" West, a distance of 58.75 feet, to the Point of True Beginning, and containing 2.028 acres, more or less.

To Rezone From: R-1, Residential District,
To: L-C-5, Limited Commercial District

TRACT II (L-C-3)

DESCRIPTION OF A 3.466 ACRE TRACT FOR ZONING PURPOSES NORTH OF HALL ROAD AND WEST OF GEORGESVILLE ROAD CITY OF COLUMBUS, OHIO

Situate in the State of Ohio, County of Franklin, City of Columbus, and lying in Virginia Military Survey Nos. 1425 and 13950, and being part of that 37.998 acres conveyed to Trembly Family Limited Partnership Two by deed of record in Instrument Number 199804210095605, records of the Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Begin, for Reference, at the common corner of said 37.998 acre tract and that 1.270 acre tract conveyed to Howard F. and Muriel Hedrick by deed of record in Official Record 6664 E10, same being in the centerline of Hall Road;

Thence North 19°45'45" East, a distance of 31.28 feet, along a line common to said 37.998 acre and said 1.270 acre tracts, to a point in the northerly right-of-way line of said Hall Road, same being at the Point of True Beginning;

Thence the following six (6) courses and distances along a line crossing said 37.998 acre tract:

1. North 86°36'45" West, a distance of 585.82 feet, along the northerly right-of-way line of said Hall Road, to a point;
2. Along a curve to the right having a central angle of 90°00'00", a radius of 25.00 feet, an arc length of 39.27 feet, and a chord to which bears North 41°36'45" West, a chord distance of 35.36 feet, to a point;
3. North 03°23'15" East, a distance of 175.00 feet to a point;
4. South 86°36'45" East, a distance of 500.00 feet to a point;
5. North 32°01'00" East, a distance of 174.91 feet to a point;
6. South 86°36'45" East, a distance of 131.00 feet, to an angle point in the line common to said 37.998 acre tract and that 1.3772 acre tract conveyed to Milma I. Metzger by deed of record in Official Record 6664 E08;

Thence South 19°50'45" West, a distance of 67.31 feet, along a line common to said 37.998 acre and said 1.3772 acre tracts, to a point;

Thence South 19°45'45" West, a distance of 301.19 feet, along a line common to said 37.998 acre and said 1.3772 acre tracts, then said 1.270 acre tract, to the Point of True Beginning, and containing 3.466 acres, more or less.

To Rezone From: R-1, Residential District,
To: L-C-3, Limited Commercial District

TRACT III (L-C-3)

DESCRIPTION OF A 1.029 ACRE TRACT FOR ZONING PURPOSES NORTH OF HALL ROAD AND WEST OF GEORGESVILLE ROAD CITY OF COLUMBUS, OHIO

Situate in the State of Ohio, County of Franklin, City of Columbus, and lying in Virginia Military Survey Nos. 1425 and 13950, and being part of that 37.998 acres conveyed to Trembly Family Limited Partnership Two by deed of record in Instrument Number 199804210095605, records of the Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Begin, for Reference, at the common corner of said 37.998 acre tract and that 1.270 acre tract conveyed to Howard F. and Muriel Hedrick by deed of record in Official Record 6664 E10, same being in the centerline of Hall Road;

Thence North 19°45'45" East, a distance of 31.28 feet, along a line common to said 37.998 acre and said 1.270 acre tracts, to a point in the northerly right-of-way line of said Hall Road;

Thence North 86°36'45" West, a distance of 793.57 feet, to a point in the northerly right-of-way line of said Hall Road, same being the Point of True Beginning.

Thence North 86°36'45" West, a distance of 210.00 feet, along the northerly right-of-way line of said Hall Road, to a point;

Thence North 13°12'53" East, a distance of 240.00 feet, along the line common to said 37.998 acre tract and that 34.843 acre tract conveyed to Al Limited by deed of record in Instrument Number 1999051110119000, to a point;

Thence to following two (2) courses and distances along the line crossing said 37.998 acre tract:

1. South 86°36'45" East, a distance of 169.04 feet, to a point;
2. South 03°23'15" West, a distance of 236.48 feet to the Point of True Beginning, and containing 1.029 acres, more or less.

To Rezone From: R-1, Residential District,
To: L-C-3, Limited Commercial District.

TRACT IV (R-2)

DESCRIPTION OF A 30.784 ACRE TRACT FOR ZONING PURPOSES NORTH OF HALL ROAD AND WEST OF GEORGESVILLE ROAD CITY OF COLUMBUS, OHIO

Situate in the State of Ohio, County of Franklin, City of Columbus, and lying in Virginia Military Survey Nos. 1425 and 12394, and being part of that 37.998 acres conveyed to Trembly Family Limited Partnership Two by deed of record in Instrument Number 199804210095605, records of the Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Begin, for Reference, at the common corner of said 37.998 acre tract and that 1.270 acre tract conveyed to Howard F. and Muriel Hedrick by deed of record in Official Record 6664 E10, same being in the centerline of Hall Road;

Thence North 19°45'45" East, a distance of 31.28 feet, along a line common to said 37.998 acre and said 1.270 acre tracts, to a point in the northerly right-of-way line of said Hall Road;

Thence North 86°36'45" West, a distance of 585.82 feet, along the northerly right-of-way line of said Hall Road, to the Point of True Beginning;

Thence North 86°36'45" West, a distance of 207.75 feet, along the northerly right-of-way line of said Hall Road, to a point in the westerly line of said 37.998 acre tract;

Thence the following two (2) courses and distances along a line crossing said 37.998 acre tract;

1. North 03°23'15" East, a distance of 236.48 feet, to a point;
2. North 86°36'45" West, a distance of 169.04 feet, to a point;

Thence North 13°12'53" East, a distance of 1112.43 feet, along a line common to said 37.998 acre tract and that 34.843 acre tract conveyed to Al Limited by deed of record in Instrument Number 1999051110119000, to a point at the common corner of said 37.998 acre tract and COUNTRYBROOK SUBDIVISION TRACT 1, a subdivision of record in Plat Book 41, Page 116;

Thence the following two (2) courses and distances along a line common to said 37.998 acre tract and said COUNTRYBROOK SUBDIVISION TRACT 1:

1. South 83°20'00" East, a distance of 558.23 feet, to a point;
2. North 13°31'00" East, a distance of 180.02 feet, to a point at the common corner of said 37.998 acre tract and that 31.950 acre tract conveyed to Thrifty Findlay, Inc. by deed of record in Official Record 8703 D02;
- Thence South 81°29'47" East, a distance of 719.91 feet, along the line common to said 37.998 acre and said 31.950 acre tracts, to a point at the common corner of said 37.998 acre and said 31.950 acre tracts, same being in the westerly right-of-way line of Georgesville Road;
- Thence the following three (3) courses and distances along the line common to said 37.998 acre tract and the right-of-way of said Georgesville Road:
 1. South 25°36'35" West, a distance of 16.81 feet, to a point;
 2. South 17°28'13" West, a distance of 193.23 feet, to a point;
 3. South 14°07'44" West, a distance of 78.21 feet, to a point;
- Thence to following five (5) courses and distances along a line crossing said 37.998 acre tract:
 1. Along a curve to the left having a central angle of 16°32'45", a radius of 45.00 feet, an arc length of 13.00 feet, a chord which bears North 88°30'44" West, a chord distance of 12.95 feet, to a point;
 2. Along a curve to the right having a central angle of 32°22'02", a radius of 125.00 feet, an arc length of 70.61 feet, a chord which bears South 83°34'38" West, a chord distance of 69.68 feet, to a point;
 3. South 67°23'37" West, a distance of 174.20 feet, to a point;
 4. South 11°02'30" West, a distance of 326.80 feet, to a point;
 5. South 78°57'30" East, a distance of 43.28 feet, to a point at the common corner of said 37.998 acre tract and that tract of land conveyed to Albert and Lois Bell by deed of record in Official Record 2125 B12;
- Thence South 12°20'10" West, a distance of 289.05 feet, along a easterly line of said 37.998 acre tract, to a point;
- Thence South 48°47'15" West, a distance of 108.93 feet, along a easterly line of said 37.998 acre tract, to a point;
- Thence the following five (5) courses and distances along a line crossing said 37.998 acre tract:
 1. North 86°36'45" West, a distance of 131.00 feet, to a point;
 2. South 32°01'00" West, a distance of 174.91 feet, to a point;
 3. North 86°36'45" West, a distance of 500.00 feet, to a point;
 4. South 03°23'15" West, a distance 175.00 feet, to a point;
 5. Along a curve to the left having a central angle 90°00'00", a radius of 25.00 feet, an arc length of 39.27 feet, and a chord which bears South 41°36'45" East, a chord distance of 35.36 feet, to the Point of True Beginning, and containing 30.784 acres, more or less.

To Rezone From: R-1, Residential District,

To: R-2, Residential District.

Section 2. That a Height District of Thirty-five (35) feet is hereby established on L-C-5, Limited Commercial. L-C-3. Limited Commercial and R-2. Residential Districts on this property.

Section 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved L-C-5. Limited Commercial L-C-3. Limited Commercial and R-2, Residential Districts and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said text being titled, "LIMITATION TEXT." signed by George R. McCue, Attorney for the Applicant, dated March 7, 2002. and reading as follows:

LIMITATION TEXT

775 Georgesville Road

PROPOSED DISTRICTS:	R-2, Residential, L-C-5, Limited Commercial. L-C-3. Limited Commercial
EXISTING DISTRICT:	R-1, Residential
PROPERTY ADDRESS:	775 Georgesville Road, Columbus Ohio 43228-2826
OWNERS:	Trembly Family LP Two, Patricia Ostrander. Christina R. Davis. Richard Davis c/o Annette Trembly; c/o George R. McCue. and Laura MacGregor Comek
APPLICANT:	Dominion Homes. Inc. c/o George R. McCue, Laura MacGregor
DATE OF TEXT:	March 7, 2002
APPLICATION NUMBER:	Z01 - 059

1. INTRODUCTION: By Rezoning Application Z01 - 059. Applicant proposes to rezone approximately thirty-seven (37) acres generally located at the northwest corner of Georgesville and Hall Roads. The entire parcel in currently zoned R-1, Residential. Of the 37.307+ acres, 30.784+ are proposed to be rezoned to the R-2, Residential District and 6.523+ acres are proposed to be rezoned to the L-C-4 and L-C-5, Limited Commercial Districts. The 6.523+ acres of commercial zoning consists of three (3) sub-areas, as follows:

- 1) Sub-Area 1: L-C-5, Limited Commercial District. 2.028+ acres.
- 2) Sub-Area 2: L-C-3. Limited Commercial District, 3.466+ acres.
- 3) Sub-Area 3: L-C-3, Limited Commercial District. 1.029+ acres.

Through this rezoning request, Applicant seeks to develop a single-family subdivision and neighborhood commercial services. The proposed uses are consistent with the current uses and needs of the area.

SUB-AREA 1 - 2.028± ACRE TRACT L-C-5, LIMITED COMMERCIAL DISTRICT DEVELOPMENT TEXT

2. PERMITTED USES: A convenience store with gasoline sales, which use may also include a car wash.

3. DEVELOPMENT STANDARDS: Except as provided herein, the applicable development standards shall be those standards contained in Chapter 3357. C-5. Commercial District, of the Columbus City Code.

A. Density, Height, Lot and/or Setback Commitments

1. Setbacks:

a. North and West Property Lines: The minimum parking, building and canopy setback shall be twenty-five (25) feet.

b. South Property Line: The minimum parking and building/canopy setback shall be fifteen (15) feet and twenty-five (25) feet, respectively, as long as adjacent property to the south is residentially zoned or used.

2. Height: Sub-Area 1 shall be classified in the H-35 Height District.
- B. Access, Loading, parking and/or Other Traffic Related Commitments. Access: Vehicular access to Sub-Area 1 will include a minimum of one (1) full turning movement curbcut along the east property line at the north end of the sub-area, approximately in alignment with Clime Road and one (1) right in/right out curbcut on Georgesville Road. Curb cuts and location of access points shall be designed and located to the specification of the City of Columbus Division of Traffic Engineering.
- C. Buffering, Landscaping, Open space and/or Screening Commitments.
 1. Perimeter buffering shall include the following:
 - a. North setback: The 25 foot parking setback shall include tree planting at the rate of one (1) deciduous street tree per twenty-five (25) lineal feet of street frontage.
 - b. East setback: The parking setback from Georgesville Road shall include tree planting at the rate of one (1) deciduous street tree per thirty (30) lineal feet of street frontage.
 - c. West Setback: Within the west setback, existing trees of 8" caliper or greater shall be retained, other than removal as needed for utility crossings, if any. Additionally, a wood fence, minimum 75% opaque and minimum five (5) feet in height above the finished grade of the site where adjacent to the fence, shall be installed along and parallel to the east line of the setback area. No parking lot light poles shall be located in 25 foot setback.
 - d. South Setback: There shall be a minimum parking and pavement setback of fifteen (15) feet and a minimum building and canopy setback of twenty five (25) feet from the south property line, as long as the abutting Franklin Township parcel to the south is residentially zoned or used. Within the 15 foot pavement and parking setback, a fence or wall shall be provided to a minimum height of five (feet) and 75% opacity. The fence or wall shall be located on or near the south property line. Within the 15 foot setback, evergreen and deciduous trees shall also be planted at 15 feet on center with a ratio of three (3) evergreen trees to one (1) deciduous tree. Any existing trees of 8" caliper or greater that are retained in the south 15 foot setback, shall be counted on a one for one basis toward meeting tree planting requirements of this section. Any required fence, wall or plant material shall be provided subject to any applicable provisions of 3342.25, Vision Clearance. No parking lot light poles shall be located in the 15 foot parking setback.
 2. Construction fencing shall be placed and maintained during construction to protect existing trees and tree root structures of trees and setback areas where existing trees are to be retained. Trees that are preserved within any of the setback areas shall count on a one for one basis towards any applicable new tree planting requirement.
 3. Where fencing is used, such fencing shall be board on board, well maintained and kept free of graffiti.
 4. Landscaping shall be well maintained. Diseased or dead plant material that is required by this text shall be replaced within six (6) months.
 5. Minimum tree sizes at installation shall be as follows: Deciduous 2½" caliper, Ornamental 1½" caliper, Evergreen Five (5) feet tall
- D. Building Design and/or Interior-Exterior Treatment Commitments:
 1. The primary roof of all buildings shall be sloped with a minimum pitch of 6:12.
 2. Buildings shall be finished on all sides with the same level and quality of finish.
 3. Ground and roof mounted mechanical equipment shall be fully screened to the height of the equipment with landscaping, fencing, walls, and/or building materials that are consistent with the building materials of the building.
 4. The exterior wall finish of all buildings constructed on the Property shall be brick, stone, cultured stone, stucco, wood and/or vinyl siding. Blue, pink and light green colors shall be prohibited. Exposed smooth face block shall be prohibited.
- E. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments.
 1. Parking lot lighting in Sub-Area 1 shall utilize fully shielded cut-off style (down lighting) fixtures and be a maximum of 18 feet tall. Parking lot lighting within 50 feet of adjacent R-2, Residential zoning to the west and the Franklin Township parcel abutting to the south shall not exceed 14 feet, as long as the abutting property to the west and south is residentially zoned or used. There may be accent lighting on landscaping and buildings, but all lighting shall be placed and/or shielded to minimize off-site light and glare.
 2. All wall mounted area lighting, exclusive of decorative lighting, shall utilize, fully shielded cut-off style (down lighting) fixtures.
 3. Canopy lighting over gasoline pump islands shall be recessed or fully shielded to control glare and off-site light.
 4. All parking lot and area lighting fixtures used shall be from the same or similar manufacturer's type to insure aesthetic compatibility.
 5. All new or relocated utility lines shall be installed underground, unless directed otherwise by the applicable utility company.
- F. Graphics and Signage Commitments.
 1. All signage shall conform to chapters 3375 through 3383 of the Columbus City Code as they apply to the C-5, Commercial District. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.
- G. Miscellaneous.
 1. Parkland Dedication shall be in accordance with that required by the City of Columbus Recreation and Parks Department to comply with applicable provisions of the Parkland Dedication Ordinance.
 2. The site is Sub-Area 1 of 37+ acres submitted for rezoning in the same application solely for the purpose of rezoning contiguous property. At all times in the future, Sub-Area 1 may be rezoned independently of any other property.
 3. The Board of Zoning Adjustment shall be the body to hear any and all variance requests to site development standards, including any and all specific site development standards contained in this ordinance.

SUB-AREA 2 - 3.466+ ACRE TRACT

L-C-3, LIMITED COMMERCIAL DISTRICT
DEVELOPMENT TEXT

1. PERMITTED USES: All uses of the C-3, Commercial District (3355.01. CCC) except the following: Armory; billboards and off-premise graphics, except off-premise graphics as may be permitted by Special Permit from the Columbus Graphics Commission; electric substation; millinery; motel; motor bus terminal; telephone exchange
2. DEVELOPMENT STANDARDS: Except as provided herein, the applicable development standards shall be those standards contained in Chapter 3355, C-3, Commercial District, of the Columbus City Codes:
 - A. Density, Height, Lot and/or Setback Commitments.
 1. Setbacks:
 - a. Abutting R-2, Residential District: The minimum parking and building setback shall be twenty-five (25) feet, from any portion of Sub-Area 2 that abuts the R-2, Residential District area that is part of this rezoning application.

- b. East Property Line: The minimum parking and building setback shall be twenty-five (25) feet for as long as abutting property is residentially zoned or used.
 - c. West Property Line: The minimum parking and building setback shall be twenty-five (25) feet.
 - 2. Height: Sub-Area 2 shall be classified in the H-35 Height District.
 - B. Access, Loading, parking and/or Other Traffic Related Commitments. Access: Vehicular access to Sub-Area 2 shall include a minimum of one (1) full turning movement access point on Hall Road, which may require a left turn lane, and one (1) full turning movement curb cut on the adjacent internal subdivision street located adjacent to the west property line of Sub-Area 2. Curb cuts and access points shall be designed and located to the specification of the City of Columbus Division of Traffic Engineering.
 - C. Buffering, Landscaping, Open space and/or Screening Commitments.
 - 1. Perimeter buffering shall include the following:
 - a. Buffer Adjacent to R-2, Residential District: Within the buffer setback, existing trees of 8 inch caliper or greater shall be retained to a depth of 20 feet from the perimeter property line. other than removal as needed for utility crossings, if any. In addition to retaining existing trees as specified, a single row of evergreen trees shall be planted parallel and adjacent to the 25 foot setback line at 15 feet on center, where adjacent to commercial development (Buildings and parking) in Sub-Area 2.
 - b. Hall Road Parking Setback: The Hall Road parking setback shall include deciduous street tree planting at the rate of one (1) deciduous street tree per thirty (30) lineal feet of street frontage and headlight screening consisting of plant material, mounding, walls or fencing to a minimum height 30 inches, as measured from the finished grade of the parking lot, other than where curbcut(s) are located and in compliance with 3342.25, Vision Clearance.
 - c. West setback: The 25 foot parking and building setback shall be maintained in live vegetation and shall include tree planting at the rate of one (1) deciduous street tree per thirty (30) lineal feet of street frontage. The parking setback shall contain headlight screening in the form of plant material, mounding, fences and/or walls to a minimum height of 30 inches.
 - d. East Setback: Existing plant material shall be maintained in the 25 foot setback, other than any plant material removed for utility crossings, if any, for as long as abutting property is zoned or used residentially.
 - 2. Construction fencing shall be placed and maintained during construction to protect existing trees and tree root structures of trees and setback areas where existing trees are to be retained. Trees of 8" caliper or greater that are preserved within the Hall Road parking setback or the west setback shall be counted on a one for one basis towards any applicable new tree planting requirement within the same setback area.
 - 3. Trees shall be integrated into the parking lot within landscape islands at the rate of 1 tree per 10 parking spaces. Required tree planting under the provisions of this section shall be counted toward compliance with the provisions of Section 3342.11 (a), Interior Landscaping.
 - 4. Where fencing is used, such fencing shall be board on board, well maintained and kept free of graffiti.
 - 5. Landscaping shall be well maintained. Diseased or dead plant material that is required by this text shall be replaced within six (6) months.
 - 6. Minimum tree sizes at installation shall be as follows: Deciduous 2½" caliper, Ornamental 1½" caliper, Evergreen Five (5) feet tall
 - D. Building Design and/or Interior-Exterior Treatment Commitments:
 - 1. The primary roof of all buildings shall be sloped with a minimum pitch of 6:12.
 - 2. Buildings shall be finished on all sides with the same level and quality of finish.
 - 3. Building facades facing a public street shall include architectural detailing/fenestration to reduce the perception of building mass and to visually breakup the facade. Architectural detailing/fenestration may be accomplished through the use of design elements such as, vertical recessed or projecting relief to the facade, columns, recessed or projecting windows, awnings, the use of different building materials for different tenant spaces in the case of a multi-tenant building, and/or other design elements. Vertical wall fenestration shall occur not more than every thirty (30) feet on center of the facade.
 - 4. Ground and roof mounted mechanical equipment shall be fully screened to the height of the equipment with landscaping, fencing, walls, and/or building materials that are consistent with the building materials of the building.
 - 5. The exterior wall finish of all buildings constructed on the property shall be brick, stone, cultured stone, stucco, wood and/or vinyl siding. Blue, pink and light green colors shall be prohibited. Exposed smooth face block shall be prohibited.
 - E. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments.
 - 1. Parking lot lighting in Sub-Area 2 shall utilize fully shielded cut-off style (down lighting) fixtures a maximum of 18 feet tall. Parking lot lighting within 50 feet of adjacent R-2, Residential zoning shall not exceed 14 feet. There may be accent lighting on landscaping and buildings, but all lighting shall be placed and/or shielded to minimize off-site light and glare.
 - 2. All wall mounted area lighting, exclusive of decorative lighting, shall utilize, fully shielded cut-off style (down lighting) fixtures.
 - 3. All parking lot light poles and area lighting fixtures used shall be from the same or similar manufacture's type to insure aesthetic compatibility.
 - 4. All new or relocated utility lines shall be installed underground, unless directed otherwise by the applicable utility company.
 - F. Graphics and Signage Commitments.
 - 1. All signage shall conform to chapters 3375 through 3383 of the Columbus City Code as they apply to the C-3, Commercial District. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.
 - G. Miscellaneous.
 - 1. Parkland Dedication shall be in accordance with that required by the City of Columbus Recreation and Parks Department to comply with applicable provisions of the Parkland Dedication Ordinance.
 - 2. The site is Sub-Area 3 of 37+ acres submitted for rezoning in the same application solely for the purpose of rezoning contiguous property. At all times in the future, Sub-Area 3 may be rezoned independently of any other property.
 - 3. The Board of Zoning Adjustment shall be the body to hear any and all variance requests to site development standards, including any and all specific site development standards contained in this ordinance.
- SUB-AREA 3 -1.029+ ACRE TRACT
 L-C-3 LIMITED COMMERCIAL DISTRICT
 DEVELOPMENT TEXT
1. PERMITTED USES: All uses of the C-3, Commercial District (3355.01, CCC) except the following: Armory; billboards and off-premise graphics, except off-premise graphics as may be permitted by Special Permit from the Columbus Graphics Commission; electric substation; millinery; motel; motor bus terminal; telephone exchange

2. DEVELOPMENT STANDARDS: Except as provided herein, the applicable development standards shall be those standards contained in Chapter 3355, C-3, Commercial District, of the Columbus City Codes:

A. Density, Height, Lot and/or Setback Commitments.

1. Setbacks:

a. Abutting R-2, Residential District: The minimum parking, pavement and building setback shall be twenty-five (25) feet, from any portion of Sub-Area 3 that abuts the R-2, Residential District area to the north and east.

b. If Sub-Area 3 is developed with a use of the C-2, Commercial District, the setback adjacent to the R-2, Residential District to the north and east may be reduced from twenty-five (25) feet to ten (10) feet. However, any use of the property that includes a pick-up window, drive-thru lane or other design element intended or designed to provide services or products to customers in a motor vehicle shall provide a twenty-five (25) foot north and east parking, pavement and building setback regardless of whether the use is a C-2 or C-3, Commercial District use, unless otherwise reduced through application to the Board of Zoning Adjustment.

c. West Property Line: The minimum parking and pavement setback from the west property line shall be five (5) feet and the minimum building setback shall be ten (10) feet.

2. Height: Sub-Area 3 shall be classified in the H-35 Height District.

B. Access, Loading, parking and/or Other Traffic Related Commitments. Access: Vehicular access to Sub-Area 3 shall be from a full turning movement curbcut on Hall Road, which may require a left turn lane. The curb cut/access point shall be designed and located to the specification of the City of Columbus Division of Traffic Engineering.

C. Buffering, Landscaping, Open space and/or Screening Commitments.

1. Perimeter buffering shall include the following:

a. Buffer Adjacent to R-2, Residential District: Within the buffer setback, existing trees of 8 inch caliper or greater shall be retained to a depth of 20 feet from the perimeter property line, other than removal as needed for utility crossings, if any. In addition to retaining existing trees as specified, a single row of evergreen trees, shall planted parallel and adjacent to the 25 foot setback line at 15 feet on center. Any combination of mounding, additional plant material, walls or fencing shall also be provided within the 25 foot setback to provide headlight screening to a minimum height of five (5) feet and 75% opacity.

b. If Sub-Area 3 is developed with a use of the C-2, Commercial District, the setback adjacent to the R-2, Residential District to the north and east may be reduced to ten (10) feet and shall contain a six (6) foot high wood fence or masonry wall located along the property line. Evergreen and deciduous trees shall be planted at ten (10) feet on center within the setback at a ratio of three (3) evergreen trees and one (1) deciduous tree. Deciduous trees shall be approximately evenly spaced through the buffer area. If a masonry wall is provided, there shall be no exposed smooth face block.

c. Hall Road Parking Setback: The Hall Road parking setback shall include deciduous street tree planting at the rate of one (1) deciduous street tree per thirty (30) lineal feet of street frontage and headlight screening consisting of plant material, mounding, walls or fencing to a minimum height 30 inches, as measured from the finished grade of the parking lot, other than where curbcut(s) are located and in compliance with 3342.25, Vision Clearance. No tree planting or headlight screening shall be required within the electric transmission easement if 1) permission is not obtained from the owner of the easement and/or 2) there is no parking within the easement area within 25 feet of Hall Road.

d. West setback: The five (5) foot parking and pavement setback shall include a fence located on or near the west property line and tree planting at the rate of one (1) tree per 25 lineal feet. However, no trees shall be required within the electric transmission easement area which crosses the southwest corner of the property and fencing shall only be required within the electric transmission easement if permitted by the owner of the easement. The fence shall be a minimum of five (5) feet tall, shall be wood and shall be a minimum of 75% opaque.

2. Construction fencing shall be placed and maintained during construction to protect existing trees and tree root structures of trees and setback areas where existing trees are to be retained. Trees of 8" caliper or greater that are preserved within the Hall Road parking setback or the west setback shall be counted on a one for one basis towards any applicable new tree planting requirement within the same setback area.

3. Trees shall be integrated into the parking lot within landscape islands at the rate of 1 tree per 10 parking spaces. Required tree planting under the provisions of this section shall be counted toward compliance with the provisions of Section 3342.11 (a), Interior Landscaping.

4. Where fencing is used, such fencing shall be board on board, well maintained and kept free of graffiti.

5. Landscaping shall be well maintained. Diseased or dead plant material that is required by this text shall be replaced within six (6) months.

6. Minimum tree sizes at installation shall be as follows: Deciduous 2½" caliper, Ornamental 1½" caliper, Evergreen Five (5) feet tall

D. Building Design and/or Interior-Exterior Treatment Commitments:

1. The primary roof of all buildings shall be sloped with a minimum pitch of 6:12.

2. Buildings shall be finished on all sides with the same level and quality of finish.

3. Building facades facing a public street shall include architectural detailing/fenestration to reduce the perception of building mass and to visually breakup the facade. Architectural detailing/fenestration may be accomplished through the use of design elements such as, vertical recessed or projecting relief to the facade, columns, recessed or projecting windows, awnings, the use of different building materials for different tenant spaces in the case of a multi-tenant building, and/or other design elements. Vertical wall fenestration shall occur not more than every thirty (30) feet on center of the facade.

4. Ground and roof mounted mechanical equipment shall be fully screened to the height of the equipment with landscaping, fencing, walls, and/or building materials that are consistent with the building materials of the building.

5. The exterior wall finish of all buildings constructed on the property shall be brick, stone, cultured stone, stucco, wood and/or vinyl siding. Blue, pink and light green colors shall be prohibited. Exposed smooth face block shall be prohibited.

E. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments.

1. Parking lot lighting in Sub-Area 3 shall utilize fully shielded cut-off style (down lighting) fixtures a maximum of 14 feet tall. There may be accent lighting on landscaping and buildings, but all lighting shall be placed and/or shielded to minimize off-site light and glare.

2. All wall mounted area lighting, exclusive of decorative lighting, shall utilize, fully shielded cut-off style (down lighting) fixtures.

3. All parking lot light poles and area lighting fixtures used shall be from the same or similar manufacture's type to insure aesthetic compatibility.

4. All new or relocated utility lines shall be installed underground, unless directed otherwise by the applicable utility company.
- F. Graphics and Signage Commitments.
 1. All signage shall conform to chapters 3375 through 3383 of the Columbus City Code as they apply to the C-3, Commercial District. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.
- G. Miscellaneous.
 1. Parkland Dedication shall be in accordance with that required by the City of Columbus Recreation and Parks Department to comply with applicable provisions of the Parkland Dedication Ordinance.
 2. The site is Sub-Area 3 of 37+ acres submitted for rezoning in the same application solely for the purpose of rezoning contiguous property. At all times in the future, Sub-Area 3 may be rezoned independently of any other property.
 3. The Board of Zoning Adjustment shall be the body to hear any and all variance requests to site development standards, including any and all specific site development standards contained in this ordinance.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed as amended April 01, 2002, Matthew D. Habash, President of Council / Approved as amended April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0461-02

To rezone 5700 OLENTANGY RIVER ROAD (43225), being 9.95± acres located on the east side of Olentangy River Road, 210± feet north of Meeklyn Drive, From: R, Rural and LRR, Limited Rural Residential Districts, To: R-1, Residential District, and to declare an emergency.

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to pass this ordinance as an emergency measure because of the need to proceed with platting and that this is for the same reason necessary for the immediate preservation of the public peace, property, health or safety; and

WHEREAS, application #Z01-103 is on file with the Building Services Division of the Department of Development requesting rezoning of 9.95± acres from R, Rural and LRR, Limited Rural Residential Districts, to R-1, Residential District; and

WHEREAS, the Development Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the requested R-1, Residential District is consistent with the Northwest Plan's recommendation for residential development of the site. The applicant has agreed to a Letter of Commitment that grants the City of Columbus Department of Recreation and Parks a 50-foot conservation easement along the northern property line and to comply with Parkland Dedication Ordinance requirements and, as amended at the Development Commission meeting, commits to a maximum of 26 lots, now, therefore, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Zoning Map attached to Ordinance No. 1620-77, passed September 19, 1977, and as subsequently amended be, and the same is hereby revised by changing the zoning of the property as follows:

5700 OLENTANGY RIVER ROAD (43225), being 9.95± acres located on the east side of Olentangy River Road, 210± feet north of Meeklyn Drive, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, Lot 15, Section 3, Township 2, Range 18, United States Military Lands, being 9.954 acres, 6.516 acres of land as conveyed to High Point Farms, Inc. in Official Record Volume 29028 E18, 1.387 acres of land as conveyed to The Bigler Company, LTD in Instrument No. 200104020066883 and 2.051 acres in part of the land conveyed to Camelot Custom Builders, Inc. in Instrument No. 200105210111023 (all references refer to records in the Franklin County Recorders Office, Ohio) and more fully described as follows:

Beginning at an existing Franklin County Monument FCGS 3310 in the centerline of Olentangy River Road at the northwest property corner of said The Bigler Company, LTD and the southwest property corner of said High Point Farms, Inc.;

Thence North 60°31'14" West a distance of 333.33 feet, along the centerline of said Olentangy River Road, to an existing Franklin County Monument FCGS 3311;

Thence North 2°04'30" West a distance of 2.52 feet, along the centerline of said Olentangy River Road, to a point at the northwest property corner of said High Point Farms, Inc.;

Thence North 89°38'30" East a distance of 862.33 feet, along the northerly property line of said High Point Farms, Inc., to a point in the westerly limited access right of way State Route 315;

Thence South 1°04'55" West a distance of 340.50 feet, along the westerly limited access right of way of said State Route 315, to a point at the southeast property corner of said High Point Farms, Inc. and the northeast property corner of said Camelot Custom Builders, Inc.;

Thence South 1°11'43" West a distance of 154.39 feet, along the westerly limited access right of way of said State Route 315, to a point;

Thence South 3°08'26" West a distance of 187.71 feet, along the westerly limited access right of way of said State Route 315, to a point at the southeast property corner of said Camelot Custom Builders, Inc.;

Thence North 68°34'36" West a distance of 206.16 feet, along a south property line of said Camelot Custom Builders, Inc., to a point;

Thence North 78°17'29" West a distance of 50.21 feet, along a south property line of said Camelot Custom Builders, Inc., to a point;

Thence North 89°31'00" West a distance of 60.65 feet to a point on a westerly property line of said Camelot Custom Builders, Inc., to a point;

Thence North 0°29'00" East a distance of 256.20 feet, along a westerly property line of said Camelot Custom Builders, Inc., to a point on the southerly property line of said High Point Farms, Inc.;

Thence North 89°38'30" West a distance of 169.57 feet, along the southerly property line of said High Point Farms, Inc., to a point at the northeast property corner of said The Bigler Company, LTD;

Thence South 0°04'26" West a distance of 177.60 feet, along an easterly property line of said The Bigler Company, LTD, to a point;

Thence South 89°42'03" West a distance of 338.01 feet, along a southerly property line of said The Bigler Company, LTD, to a point in the centerline of said Olentangy River Road;

Thence North OWW East a distance of 179.80 feet, along the centerline of said Olentangy River Road, to the Point of Beginning containing 9.954 acres more or less.

Bearings are based upon Instrument No. 200105210111023 with the westerly limited access right of way of State Route 315 bearing South 1°11'43" West and all other bearings based upon this meridian.

This legal description was prepared from previous deeds of record and not an actual field survey.

To Rezone

From: R, Rural and LRR, Limited Rural Residential Districts,,

To: R-1, Residential District.

Section 2. That a Height District of Thirty-five (35) feet is hereby established on the R-1, Residential District on this property.

Section 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed as amended April 01, 2002, Matthew D. Habash, President of Council / Approved as amended April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0474-02

To change a street name found on the Prestwick Green, Section 2, Part 1 Subdivision plat from St. George Drive to Grove Hill Drive; and to declare an emergency.

WHEREAS, the Transportation Division received a request from the Delaware County Engineering Department asking that a street name found on the Prestwick Green, Section 2, Part 1 Subdivision plat be changed from St. George Drive to Grove Hill Drive; and

WHEREAS, there is an existing street in Delaware County named St. George Drive and this request was made to avoid duplication of a street name; and

WHEREAS, M/I Homes, Inc, the developer of Prestwick Green, provided the alternative name, Grove Hill Drive; and

WHEREAS, this name is acceptable to Delaware County and to the Public Service Department, Transportation Division; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division, in that it is immediately necessary to authorize the change in this street name so that street address assignments may proceed without delay for the preservation of the of public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That a street name found on the Prestwick Green, Section 2, Part 1 Subdivision plat be changed from St. George Drive to Grove Hill Drive.

Section 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0477-02

To authorize the Director of the Public Service Department to execute those documents required to release a one foot wide strip on either side of the platted easement between Lots 391 and 392 as shown on the subdivision plat titled "Waggoner Chase, Section 3" of record in Plat Book 98, Pages 3 and 4, Franklin County, Ohio, Recorder's Office, and to declare an emergency.

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Safety in that it is immediately necessary to pass this ordinance as an emergency measure because City Council action tonight will allow the project to move forward on schedule during the 2002 construction season and that this is for the same reason necessary for the immediate preservation the public peace, property, health or safety; and

WHEREAS, by virtue of the plat titled "Waggoner Chase, Section 3" of record in Plat Book 98, Pages 3 and 4, Franklin County, Ohio, Recorder's Office, the City of Columbus is the owner of a 12 foot wide platted easement between Lots 391 and 392; and

WHEREAS, the developer of the platted subdivision, Dominion Homes, Inc., an Ohio corporation, desires to have this 12 foot wide easement reduced to a 10 foot wide easement to enhance their ability to develop these lots; and

WHEREAS, the City has established a value of \$500.00 for the release of the one foot wide strips along this platted easement; and

WHEREAS, after investigation, it has been determined that there are no objections to the requested reduction in width of this platted easement; that the requested reduction will not adversely affect the City and that the requested reduction should be granted; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Public Service Department be and is hereby authorized to execute those documents prepared by the Department of Law, Real Estate Division, necessary to release the following described 1 foot wide strips off of the platted easement as requested by Dominion Homes, Inc., an Ohio corporation, to-wit:

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 4, Township 1, Range 16, United States Military Lands, being a 1.00 foot wide strip of land out of Lot 391 of the subdivision entitled "Waggoner Chase, Section 3" of record in Plat Book 98, Pages 3 and 4, all references being to the records of the Recorder's Office, Franklin County, Ohio and more particularly described as follows:

Beginning, for reference, at the northeasterly corner of said Lot 391;

Thence North 86°24'28" West, with the southerly right-of-way line of Solomen Run Drive, a distance of 5.00 feet to the True Point of Beginning;

Thence South 03°35'32" West, crossing said Lot 391, a distance of 135.00 feet to a point,

Thence North 86°24'28" West, with the northerly line of Lot 382 of said subdivision, a distance of 1.00 foot to a point;

Thence North 03°35'32" East, crossing said Lot 391, a distance of 135.00 feet to a point;

Thence South 86°24'28" East, with said southerly right-of-way line, a distance of 1.00 foot to the True Point of Beginning, containing 0.003 acre of land, more or less.

AND

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 4, Township 1, Range 16, United States Military Lands, being a 1.00 foot wide strip of land out of Lot 392 of the subdivision entitled "Waggoner Chase, Section 3" of record in Plat Book 98, Pages 3 and 4, all references being to the records of the Recorder's Office, Franklin County, Ohio and more particularly bounded and described as follows:

Beginning, for reference, at the northwesterly corner of said Lot 392;

Thence South 86°24'28" East, with the southerly right-of-way line-of Solomen - Run Drive, a distance of 5.00 feet to the True Point of Beginning;

Thence South 86°24'28" East, with said southerly right-of-way line, a distance of 1.00 foot to a point;

Thence South 03°35'32" West, crossing said Lot 392, a distance of 135.00 feet to a point;

Thence North 86°24'28" West, with the northerly line of Lot 381 of said subdivision, a distance of 1.00 foot to a point;

Thence North 03°35'32" East, crossing said Lot 392, a distance of 135.00 feet to the True Point of Beginning, containing 0.003 acre of land, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Matthew A. Kirk, Registered Surveyor No. 7865

Section 2. That the City shall receive \$500.00, to be deposited in Fund 748, Project 537650, as consideration for the release of the platted easement rights.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed as amended April 01, 2002, Matthew D. Habash, President of Council / Approved as amended April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0480-02

To accept the plat titled DEDICATION PLAT OF CAPELLA CENTRE AND EASEMENTS, from Polaris Partners Ltd., an Ohio limited liability company, by Steve Watham, President and to declare an emergency.

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to pass this ordinance as an emergency measure because of City Council tonight will enable this project to move ahead as scheduled with the construction plan and that this is for the same reason necessary for the immediate preservation of the public peace, property, health or safety; and

WHEREAS, the plat titled DEDICATION PLAT OF CAPELLA CENTRE AND EASEMENTS (hereinafter "plat"), has been submitted to the City Engineer's Office for approval and acceptance; and

WHEREAS, Polaris Partners Ltd., an Ohio limited liability company, by Steve Watham, President, owner of the platted land, desires to dedicate to the public use all or such parts of the Boulevard shown on said plat and not heretofore so dedicated; and

WHEREAS, after examination, it has been found to be in the best interest of the City to accept said plat; now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the plat titled DEDICATION PLAT OF CAPELLA CENTRE AND EASEMENTS on file in the office of the City Engineer, Engineering and Construction Division, be and the same is hereby accepted.

Section 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed as amended April 01, 2002, Matthew D. Habash, President of Council / Approved as amended April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0482-02

To amend the Management Compensation Plan, Ordinance No. 2944-99, as amended, by enacting Section 5(E)-F046, the classification of Financial Management Administrator; and to declare an emergency.

WHEREAS, the Civil Service Commission will consider the approval of the creation of the classification of Financial Management Administrator at its March 25, 2002 meeting; and

WHEREAS, it is necessary to assign a pay grade to the newly created classification; and

WHEREAS, an emergency exists in the City of Columbus in that it is in the best interest of the City to amend the Management Compensation Plan thereby preserving the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That Section 5(E)-F046 of Ordinance No. 2944-99, as amended, be enacted to read as follows:

<u>Ord. Sec.</u>	<u>Class Code</u>	<u>Class Title</u>	<u>Grade</u>
5(E)-F046	0142	Financial Management Administrator	95

Section 2. That this ordinance shall become effective with the beginning of the first pay period following passage by Council.

Section 3. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in full force from and after approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0483-02

To accept Memorandum of Understanding #2002-01 executed between representatives of the City of Columbus and Columbus Municipal Association of Government Employees (CMAGE), which amends the Collective Bargaining Contract, August 24, 1999 through August 23, 2002; and to declare an emergency.

WHEREAS, representatives of the City and Columbus Municipal Association of Government Employees (CMAGE) entered into Memorandum of Understanding #2002-01, a copy of which is attached hereto as Exhibit 1, to amend Appendix B of the Collective Bargaining Contract between the City and CMAGE, August 24, 1999 through August 24, 2002; and

WHEREAS, it is necessary to amend the Collective Bargaining Contract between the City and CMAGE by accepting Memorandum of Understanding #2002-01 thereby preserving the public peace, property, health, safety, and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That Memorandum of Understanding #2002-01 amends the Collective Bargaining Contract between the City and CMAGE, August 23, 1999 through August 24, 2002.

Section 2. That City Council, in the best interest of the City, hereby recognizes and accepts Memorandum of Understanding #2002-01, marked as Exhibit 1, a copy of which is attached hereto, executed between representatives of the City and CMAGE to be effective with the beginning of the pay period following passage by City Council.

Section 3. For the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten (10) days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

Note: Exhibit 1 is on file in the City Clerk's Office.

ORD NO. 0484-02

To authorize the City Auditor to modify and extend a contract with The Huntington National Bank for certain banking services to be performed for the City Auditor, Division of Income Tax through February 28, 2003 and to authorize the expenditure of \$30,000.00 from the general fund, (\$30,000.00).

WHEREAS, Contract No. 17228 provides an option for the City to renew its contract with The Huntington National Bank for nine (9) one (1) year terms; and

WHEREAS, the Division of Income Tax desires the City Auditor to exercise the annual renewal option listed as Item No. 13 of the original agreement for the seventh year of services through February 28, 2003; and now therefore
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the City Auditor be and is hereby authorized and directed to modify and extend Contract No. CT17228 for "lockbox" services for income tax direct pay accounts through February 28, 2003.

Section 2. That the expenditure of \$30,000.00 or so much thereof as may be necessary is hereby authorized from the General Fund, Subfund 010, Auditor's Office/Income Tax Division 22-02, OCA Code 220541, Object Level One 03, Object Level Three 3348.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed as amended April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0485-02

To authorize the City Auditor to modify and extend a contract with National City Bank, Columbus for certain banking services to be performed for the City Auditor, Division of Income Tax until March 31, 2003 and to authorize the expenditure of \$60,000.00 from the general fund, (\$60,000.00) and to declare an emergency.

WHEREAS, Contract No. 16424 provides an option for the City to renew its contract with National City Bank, Columbus for ten (10) one (1) year terms; and

WHEREAS, the Division of Income Tax desires the City Auditor to exercise the annual renewal option listed as Item No. 12 of the original agreement for the eighth year of services through March 31, 2003; and

WHEREAS, an emergency exists in the usual daily operation of the Office of the Auditor, Division of Income Tax, in that it is immediately necessary to modify and extend Contract No. CT16424 for "lockbox" services for income tax direct pay accounts; now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the City Auditor be and is hereby authorized and directed to modify and extend Contract No. CT16424 for "lockbox" services for income tax withholding accounts through March 31, 2003.

Section 2. That the expenditure of \$60,000.00 or so much thereof as may be necessary is hereby authorized from the General Fund, Subfund 010, Auditor's Office/Income Tax Division 22-02, OCA Code 220541, Object Level One 03, Object Level Three 3348.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0486-02

To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Concrete Pipe, with Rinker Materials Corporation dba Hydro Conduit, and to declare an emergency.

WHEREAS, the Purchasing Office advertised and solicited formal bids, and selected the lowest bid; and

WHEREAS, CSR America, Inc. has formally changed its name to Rinker Materials Corporation dba Hydro Conduit and the name on the contract needs to reflect the name change; and

WHEREAS, vendor has agreed to extend FL000379 at current prices and conditions to and including May 31, 2003, and it is in the best interest of the City to exercise this option; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to extend FL000379 for an option to purchase Concrete Pipe thereby preserving the public health, peace, property, safety, and welfare, now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Finance Director be and is hereby authorized and directed to modify FL000379 to change the name on the contract from CSR America, Inc. to Rinker Materials Corporation dba Hydro Conduit and to extend FL000379 to and including May 31, 2003.

Section 2. That this modification is in accordance with Section 329.13 of the Columbus City Codes

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0487-02

To authorize and direct the Finance Director to enter into five contracts for an option to purchase Electric Meters and Accessories, with General Electric Supply, Wesco Distribution, Inc., Electric Laboratories & Sales, Reed City Power Line Supply and Inner-Tite Corp., to authorize the expenditure of five dollars to establish contracts from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$5.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids on December 13, 2001 and selected the lowest bids; and

WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into five contracts for an option to purchase Electric Meters and Accessories, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Finance Director be and is hereby authorized and directed to enter into five contracts for an option to purchase Electric Meters and Accessories in accordance with Solicitation No. SA000120BGB as follows:

Company	Item(s)	Amount
General Electric Supply	13, 47, 48, 55-65, 68, 72, 91, 92, 207, 211, 216, 217, 219, 223, 224, 246, 247, 261, 265, 267, 273, and 275	\$1.00
Wesco Distribution, Inc.	7-11, 25, 66, 67, 69-71, 73-77, 109, 110, 184, 208-210, 263, 268, 274	\$1.00
Electric Laboratories and Sales Corp	5, 6, 12, 31-46, 49-54, 116, 117, 120, 124-129, 135, 136, 145-152, 160-164, 167-170, 173, 175, 177-179, 181-183, 186-202, 205, 226, 227, 229, 233, 235, 238, 243, 252, 253, 257, and 259	\$1.00
Reed City Power Line Supply Ohio Division	4, 16-19, 89, 112, 113, 115, 118, 119, 130, 132, 134, 137, 153-159, 212-215, 218, 220-222, 225, 228, 230-232, 234-239, 240, 244-245, 250, 251, 254-256, 258, 260, 262, 264, 266, 269-272, and 276	\$1.00
Inner-Tite Corp.	138-144	\$1.00

No bids received for items 1-3, 14, 15, 20-24, 26-30, 78-90, 93-106, 108, 114, 121-123, 131, 133, 165, 166, 171, 174, 176, 180, 185, 203, 204, and 206. No award is being made on items 107, 236, 237, 241, 242, 248, and 249.

Section 2. That the expenditure of \$5.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-516, Object Level 3: 2270, OCA: 451120, to pay the cost thereof.

Section 3. That for the reason stated in the preamble here to, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0488-02

To authorize and direct the Finance Director to modify and extend the citywide contracts for the option to purchase Safety Shoes with Safety Solutions, Inc., and to declare an emergency.

WHEREAS, the Purchasing Office advertised and solicited formal bids, and selected the lowest bid; and

WHEREAS, vendor has agreed to extend FL900031 at current prices and conditions to and including August 31, 2002, and it is in the best interest of the City to exercise this option; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to modify and extend FL900031 for an option to purchase Safety Shoes thereby preserving the public health, peace, property, safety, and welfare, now, therefore, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Finance Director be and is hereby authorized and directed to modify and extend FL900031 with Safety Solutions, Inc. to and including August 31, 2002.

Section 2. That this modification is in accordance with Section 329.13 of the Columbus City Codes

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0489-02

To authorize and direct the Finance Director to enter into a contract for an option to purchase Fire Protection Equipment Maintenance, with Harold D. Hard Company, to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids on November 21, 2001 and selected the lowest bid; and

WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into a contract for an option to purchase Fire Protection Equipment Maintenance, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Finance Director be and is hereby authorized and directed to enter into a contract for an option to purchase Fire Protection Equipment Maintenance in accordance with Solicitation No. SA000126DRM as follows:

Company	Item(s)	Amount
Harold D. Hard Company	1.1-2.5, 4.1-5.3, 6.2-8.2, and 9.2-10.3	\$1.00

No award is being made on items 3.1-3.2, 6.1 and 9.1

Section 2. That the expenditure of \$1.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-516, Object Level 3: 2270, OCA: 451120, to pay the cost thereof.

Section 3. That for the reason stated in the preamble here to, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0490-02

To authorize and direct the Finance Director to enter into a contract for an option to purchase Drug and Alcohol Testing Services for City of Columbus Employees and Pre-Employment Candidates, with WorkHealth, to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

WHEREAS, the Purchasing Office advertised and solicited formal proposals on December 12, 2001 and selected the highest ranked offerer; and

WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into a contract for an option to purchase Drug and Alcohol Testing Services for City of Columbus Employees and Pre-Employment Candidates, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Finance Director be and is hereby authorized and directed to enter into a contract for an option to purchase Drug and Alcohol Testing Services for City of Columbus Employees and Pre-Employment Candidates in accordance with Solicitation No. SA000121GLM as follows:

Company	Item(s)	Amount
WorkHealth	All Services	\$1.00

Section 2. That the expenditure of \$1.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-516, Object Level 3: 2270, OCA: 451120, to pay the cost thereof.

Section 3. That for the reason stated in the preamble here to, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0491-02

To authorize and direct the Director of Recreation and Parks to accept a grant in the amount of \$4,500.00 and enter into an agreement with the Ohio Department of Natural Resources, Division of Forestry, for funding to purchase and plant trees in the Spring-Sandusky interchange area, to authorize an appropriation of \$4,500.00 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department, and to declare an emergency. (\$4,500.00)

WHEREAS, the Ohio Department of Natural Resources, Division of Forestry, has awarded the Columbus Recreation and Parks Department, funding from the Ohio Environmental Protection Agency to purchase and plant trees in the Spring-Sandusky interchange area; and

WHEREAS, it is necessary to accept said grant and appropriate said funds; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to accept and appropriate said grant funds for the preservation of public health, peace, property and safety; now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to accept a grant in the amount of \$4,500.00 and enter into an agreement with the Ohio Department of Natural Resources, Division of Forestry, for funding to purchase and plant approximately 20 trees in the Spring-Sandusky interchange area.

Section 2. That from the unappropriated monies in the Recreation and Parks Grant Fund No. 286, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2002, the sum of \$4,500.00 is appropriated to the Recreation and Parks Department, Department No. 51-01, as follows:

Grant Title	Grant No.	OCA Code	Object Level 3	Amount
Urban Tree Planting-ODNR	510221	510221	2209	\$4,500.00

Section 3. That the monies in the foregoing Section 2 shall be paid upon order of the Director of Recreation and Parks, and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0492-02

To authorize and direct the Director of Recreation and Parks to enter into contract with Harris Design Services for the Swim Center Renovations Project, to authorize the expenditure of \$39,000.00 from the Recreation and Parks Permanent Improvement Fund, and to declare an emergency. (\$39,000.00)

WHEREAS, proposals were received from three firms for professional services in conjunction with the Swim Center Renovations Project; and

WHEREAS, the contract will be awarded in accordance with Section 329.09 of the Columbus City Codes; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Park Department in that it is immediately necessary to enter into said contract for the preservation of public health peace, property and safety; now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into contract with Harris Design Services for professional services in conjunction with the Swim Center Renovations Project.

Section 2. That the expenditure of \$39,000.00, or so much thereof as may be necessary, be and is hereby authorized from the Recreation and Parks Permanent Improvement Fund, as follows, to pay the cost thereof.

Fund Type	Dept. No.	Fund	Project No.	Project Title	Object Level 3	OCA Code	Amount
Cap. Proj.	51-01	747	510035	Facility Renovations	6681	640862	39,000.00

Section 3. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be so made from a project account funded by monies from more than one source.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0493-02

To authorize and direct the Director of Recreation and Parks to enter into contract with Harris Design Services for the Bicentennial Park Renovations Project, to authorize the expenditure of \$32,500.00 from the Recreation and Parks Permanent Improvement Fund, and to declare an emergency. (\$32,500.00)

WHEREAS, proposals were received from three firms for professional services in conjunction with the Bicentennial Park Renovations Project; and

WHEREAS, the contract will be awarded in accordance with Section 329.09 of the Columbus City Codes; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to enter into said contract for the preservation of public health peace, property and safety; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into contract with Harris Design Services for professional services in conjunction with the Bicentennial Park Renovations Project.

Section 2. That the expenditure of \$32,500.00, or so much thereof as may be necessary, be and is hereby authorized from the Recreation and Parks Permanent Improvement Fund, as follows, to pay the cost thereof.

Fund Type	Dept. No.	Fund	Project No.	Project Title	Object Level 3	OCA Code	Amount
Cap. Proj.	51-01	747	510017	Park & Playground Development	6680	640862	32,500.00

Section 3. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be so made from a project account funded by monies from more than one source.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0494-02

To authorize and direct the Director of Recreation and Parks to modify the contract with Jess Howard Electric Company for additional labor and materials in conjunction with the Schiller Park Lighting Project, to authorize the expenditure of \$10,876.00 from the Voted 1995 and 1999 Parks and Recreation Bond Fund, and to declare an emergency. (\$10,876.00)

WHEREAS, it is necessary to modify the contract with Jess Howard Electric Company for labor and materials in conjunction with the Schiller Park Lighting Project; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to enter into said contract modification for the preservation of public health, peace, property and safety; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to modify Contract No. EL-002041 with Jess Howard Electric Company for additional labor and materials in conjunction with the Schiller Park Lighting Project, in accordance with plans and specifications on file in the Recreation and Parks Department.

Section 2. That the expenditure of \$10,876.00, or so much thereof as may be necessary, be and is hereby authorized from the Voted 1995 and 1999 Parks and Recreation Bond Fund, as follows, to pay the cost thereof.

Fund Type	Dept. No.	Fund No.	Project No.	Project Name	Object Level 3	OCA Code	Amount
Cap. Proj.	51-01	702	510035	Facility Renovations	6620	644526	10,876.00

Section 3. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be so made from a project account funded by monies from more than one source.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0495-02

To authorize and direct the Director of Recreation and Parks to amend the agreement with COSI and Capitol South Community Urban Redevelopment Corporation for the operation and management of parking facilities, grounds and other exterior areas of Riverfront West, and to declare an emergency.

WHEREAS, the City of Columbus desires to amend the agreement between COSI, Capitol South Community Urban Redevelopment Corporation and the City to extend the agreement on a month-to-month basis and to permit the City's net parking revenues to be used for Riverfront activities as authorized from time to time, by the Director of the Recreation and Parks Department; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary amend said agreement for the preservation of public health, peace, property and safety; now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to amend an agreement with COSI and Capitol South Community Urban Redevelopment Corporation for the operation and management of parking facilities, grounds and other exterior areas of Riverfront West. The agreement area consists of all City-owned property on the Scioto Peninsula bounded by the Scioto River Broad Street, Starling Street and Main Street. The amendment will extend the agreement on a month-to-month basis until such time as all parties agree that another operator should be identified and will permit the City's net parking revenues to be used for Riverfront activities as authorized, from time to time, by the Director of the Recreation and Parks Department.

Section 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0496-02

To authorize and direct the Director of Recreation and Parks to enter into a contract with Class Acts Columbus, Inc., for professional and fiscal services in conjunction with the 2002 Festival Latino, to waive the necessary competitive bidding requirements, and to authorize the expenditure of \$60,000.00 from the Recreation and Parks Grant Fund, and to declare an emergency. (\$60,000.00)

WHEREAS, it is in the best interest of the City of Columbus to waive the requirements of competitive bidding and contract with Class Acts Columbus, Inc., to provide professional and fiscal services to Music in the Air in conjunction with the 2002 Festival Latino, to be held June 21-22, 2002; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to enter into said contract for the preservation of public health, peace, property and safety now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That this Council finds it in the best interest of the City of Columbus to waive requirements of competitive bidding for professional services in conjunction with the 2002 Festival Latino, and does hereby waive provisions of Section 329.06(b) of the Columbus City Codes.

Section 2. That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into contract with Class Acts Columbus, Inc., to provide professional and fiscal services to Music in the Air in conjunction with the 2002 Festival Latino, to be held June 21-22, 2002, and other events as needed.

Section 3. That the expenditure of \$60,000.00, or so much thereof as may be necessary, be and is hereby authorized from the Recreation and Parks Grant Fund, as follows, to pay the cost thereof:

Fund Type	Division	Fund	Object Level 3	Grant No.	OCA Code	Amount
Grant	51-01	286	3336	518626	510784	\$41,375.00
Grant	51-01	286	3336	510203	510203	\$18,625.00

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0497-02

To authorize an increase in the petty cash amount for the Recreation and Parks Department, to expend \$700.00 from the Recreation and Parks Operating Fund, and to declare an emergency. (\$700.00)

WHEREAS, it is necessary to establish cash banks at various locations throughout the Recreation and Parks Department for conducting of normal business activities; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to increase said fund for the preservation of public health, peace, property and safety; now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the City Treasurer is hereby authorized to provide the sum of \$700.00 to the Recreation and Parks Department for the establishment of cash banks needed at various locations for the conducting of normal business activities. This petty cash increase in the amount of \$700.00, from \$1,600.00 to \$2,300.00, will be provided from the Recreation and Parks Operating Fund as follows:

Fund Type	Dept. No.	Fund No.	Object Level 3	OCA Code	Amount
Operating	51-01	285	5520	510289	700.00

Section 2. That such funds shall be administered by the Recreation and Parks Department, which shall be held liable for any shortages. A listing of the locations of such banks shall be provided to the City Treasurer.

Section 3. That such funds shall be used at each site until the business activity ceases to exist, and the authorization of such usage of funds shall be on-going and not subject to annual authorization by the Columbus City Council.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0498-02

To authorize the Director of Public Utilities to contract with S. G. Lowendick & Sons Inc. for removal of a digester cover at the Southerly Wastewater Treatment Plant for the Division of Sewerage and Drainage; to authorize the expenditure of \$41,800.00 from the Sewerage System Operating Fund, and to declare an emergency. (\$41,800.00)

WHEREAS, The structural steel which supports the cover on #5 digester tank has corroded and weakened to the point that the cover has partially collapsed. This has created a hazard because plant and contractor personnel are periodically required to operate and maintain equipment located on, or near the cover. The plant has had to remove the digester tank from service. This reduces the plant's storage capacity for land application by approximately 15%. Failure to fund this project would have long-term adverse effects on the plant's ability to dispose of the 75 dry ton/day of sludge necessary for the plant to operate efficiently; and,

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to enter into contract for removal of a digester cover at the Southerly Wastewater Treatment Plant at the earliest possible date for the immediate preservation of the public health, peace, property and safety; now, therefore, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Public Utilities be, and hereby is, authorized to award and execute a contract for removal of a digester cover at the Southerly Wastewater Treatment Plant, for the Division of Sewerage and Drainage.

Section 2. That the expenditure of \$41,800.00, or so much thereof as may be needed, be and the same hereby is authorized from Sewerage System Operating Fund, Fund No. 650, as follows:

Division No. 60-05 - Department of Public Utilities

<u>OCA</u>	<u>Object Level One</u>	<u>Object Level Three</u>	<u>Amount</u>
604793	6624	06	<u>\$41,800.00</u>
TOTALS			\$41,800.00

to pay the cost thereof.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0499-02

To authorize the Director of Public Utilities to modify the professional engineering services contract with R. D. Zande & Associates, Inc. for the Rhoads Avenue Sewer Improvements, to authorize the expenditure of \$107,140.61 from the 1991 Voted Sanitary Bond Fund; to transfer \$107,140.61 from within the 1991 Voted Sanitary Bond Fund; for the Division of Sewerage and Drainage; and to declare an emergency. (\$107,140.61)

WHEREAS, Contract No. XC818584 was authorized by Ordinance No. 1892-97 was passed July 21, 1997, was executed September 18, 1997, for purposes of providing the professional engineering and technical services required to identify problems and develop solutions with the sewer infrastructure to reduce and or eliminate inflow and infiltration concerns that exist in the Driving Park community of Columbus, in connection with the Sewer System I/I Remediation- Driving Park Project; and

WHEREAS, Modification No. 1 to Contract XC818584 was authorized by Ordinance No. 1912-98 as passed July 20, 1998, and was executed on August 10, 1998, for purposes of providing the additional funds required to include an internal inspection of an estimated 22,000 lineal feet of 48-inch and 60-inch interceptor sewer from the Alum Creek Storm Tanks to the Whittier Street Storm Tanks; and

WHEREAS, Modification No. 2 to Contract XC818584, identified as EL900655, was authorized by Ordinance No. 1808-99, as passed July 19, 1999, and was executed on July 29, 1999, for purposes developing construction plans and specifications for three of the first prioritized and sequenced infrastructure improvement project that are planned for this vital combined sewer infrastructure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, in that it is urgent to allow for the execution of a contract modification with R. D. Zande & Associates, Inc., in order to provide the additional services necessary to allow for the proper administration and inspection of the rehabilitation scheduled to be undertaken for the Rhoads Avenue Sewer Improvements without delay, thereby preserving the public health, peace and safety; now, therefore, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the City Auditor is hereby authorized and directed to transfer monies within the said fund as follows:

Division of Sewerage and Drainage, Division 60-05
Fund No. 664, 1991 Voted Sanitary Bond Fund

FROM:		
Project	Title	Amount
650638	McDowell/Sullivant Junction Chamber	\$107,140.61
TO:		
Project	Title	Amount
650626	Rhoads Avenue Sewer Improvements	\$107,140.61

Section 2. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the

project has been completed and the monies are no longer required for said project; except that no transfer shall be so made from a project account funded by monies from more than one source.

Section 3. That the Director of Public Utilities be, and hereby is authorized to modify the professional engineering services contract with R. D. Zande & Associates, Inc., 1237 Dublin Road, Columbus, Ohio 43215, in connection with the Rhoads Avenue Sewer Improvements in accordance with the terms and conditions as shown within the Contract Modification No. 3 on file in the office of the Division of Sewerage and Drainage's Sewer System Engineering Section.

Section 4. That for the purpose of paying the cost of the construction contract modification, the following expenditure, or as much thereof as may be needed, be and the same is hereby authorized as follows:

Division	Fund	Object Level Three	Project Acct	OCA	Amount
60-05	664	6676	650626	655118	\$107,140.61

Section 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0500-02

To authorize amending the 2001 Capital Improvements Budget in order establish sufficient funding for various sanitary sewer system capital improvements projects for the Division of Sewerage and Drainage; and to declare an emergency.

WHEREAS, it is necessary for this Council to amend the 2001 Capital Improvements Budget in order to establish sufficient budget authority for various sanitary sewer system projects for which expenditures are currently pending on behalf of the Division of Sewerage and Drainage; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, that it is immediately necessary to amend the 2001 Capital Improvements Budget in order to allow for the commencement of various sanitary sewer system improvements projects, for the preservation of the public health, peace, property, safety and welfare, now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the 2001 Capital Improvements Budget Ordinance No. 0726-01 is hereby amended as follows, in order to provide sufficient budget authority for the sanitary sewer system capital improvements projects as currently planned and referenced herein:

CURRENT:

Project CIP No.	Project Title	2001 Budget Amount
650014	Sanitary Sewer Construction	\$40,796
650033	Big Walnut Sanitary Trunk Extension	\$120,000
650375	Compost Facility Functional Revision & Elec. Rev.	\$386,444
650404	Clinton Aerial Sewer-Vie, of Royal Forest	\$120,000
650467	Broad St. Combined Sewer Rehab.	\$2,035,006
650489	Big Run Subtrunk, Big Run Road South	\$110,000
650491	Big Walnut Augment/Rickenbacker San. Interceptor	\$1,000,000
650616	Gay/Pearl/Long Comb. Sewer Rehab.	\$74,991
650618	Chestnut St. Comb. Sewer Rehab.	\$90,000
650623	Mohawk St. Combined Sewer Improvements	\$181,000
650626	Rhoads Avenue Sanitary and Storm Improvements	\$1,500,000
650628	Driving Park Sanitary Improvements	\$600,000
650639	Lane Ave. San. & Combined Sewer Improve.	\$69,000
650641	Short St./Mound St. Sewer Separation	\$70,000
650642	Castle Road 16" Force Main	\$360,000
650646	Hiawatha Park/Atwood Relief Sewer	\$1,929,240
650648	Atwood Terrace/Akola Relief Sewer	\$141,000
650650	Atwood Terrace/Lenore Avenue	\$63,000
650659	Maize/Morse Manhole Rehab.	\$60,000
650662	Walhalla Ravine Area San. Improvements	\$300,000
650663	Webster Park/Milton Area Sanitary Improvements	\$136,000
650664	Foster/Acton Area Sanitary Improvements	\$25,266
650666	Sharon Heights Sanitary Improvements	\$219,000
650667	Rustic Bridge Area Sanitary Improvements	\$103,000
650876	Greenlawn/Harmon Sanitary Sewer	\$382,000

TO:

Project CIP No.	Project Title	2001 Budget Amount	Change Amount
650014	Sanitary Sewer Construction	\$0	-\$40,796
650033	Big Walnut Sanitary Trunk Extension	\$125,000	\$5,000
650375	Compost Facility Functional Revision & Elec. Rev.	\$224,661	-\$161,783
650404	Clinton Aerial Sewer-Vie, of Royal Forest	\$50,000	-\$70,000
650467	Broad St. Combined Sewer Rehab.	\$2,363,403	\$328,397
650489	Big Run Subtrunk, Big Run Road South	\$20,000	-\$90,000
650491	Big Walnut Augment/Rickenbacker San. Interceptor	\$3,400,262	\$2,400,262
650577	Hillock/Lewis Roads Assessment Sewer	\$4,000	\$4,000
650616	Gay/Pearl/Long Comb. Sewer Rehab.	\$21,597	-\$53,394

650619	Chestnut St. Comb. Sewer Rehab.	\$0	-\$90,000
650623	Mohawk St. Combined Sewer Improvements	\$0	-\$181,000
650626	Rhoads Avenue Sanitary and Storm Improvements	\$1,038,877	-\$461,123
650628	Driving Park Sanitary Improvements	\$399,148	-\$200,852
650639	Lane Ave. San. & Combined Sewer Improve.	\$0	-\$69,000
650641	Short St./Mound St. Sewer Separation	\$0	-\$70,000
650642	Castle Road 16" Force Main	\$243,423	-\$116,577
650646	Hiawatha Park/Atwood Relief Sewer	\$1,991,097	\$61,857
650648	Atwood Terrace/Akola Relief Sewer	\$0	-\$141,000
650650	Atwood Terrace/Lenore Avenue	\$0	-\$63,000
650659	Maize/Morse Manhole Rehab.	\$0	-\$60,000
650662	Walhalla Ravine Area San. Improvements	\$57,600	-\$242,400
650663	Webster Park/Milton Area Sanitary Improvements	\$0	-\$136,000
650664	Foster/Acton Area Sanitary Improvements	\$0	-\$25,266
650666	Sharon Heights Sanitary Improvements	\$0	-\$219,000
650667	Rustic Bridge Area Sanitary Improvements	\$0	-\$103,000
650876	Greenlawn/Harmon Sanitary Sewer	\$176,675	-\$205,325
	TOTAL	\$10,115,743	\$0.00

Section 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk.

ORD NO. 0501-02

To authorize the Director of Public Utilities to reimburse the Division of Transportation for sanitary sewer improvements made in connection with the Greenlawn Ave. Roadway Improvements Project; to authorize the expenditure of \$176,674.04 from the 1991 Voted Sanitary Bond Fund; to transfer \$176,674.04 from within the 1991 Voted Sanitary Bond Fund; and to declare an emergency. (\$176,674.04)

WHEREAS, the Division of Transportation agreed to incorporate the Division of Sewerage and Drainage's sanitary sewer system improvements project known as the Greenlawn/Harmon Sanitary Sewer Improvements Project into their Greenlawn Avenue Roadway Improvements Project in an effort to coordinate roadway traffic concerns; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, in that it is necessary to request this Council to authorize the Director of Public Utilities to reimburse the Division of Transportation for the aforementioned expenditures incurred by them on behalf of the Division of Sewerage and to authorize the transfer of funds from within the 1991 Sanitary Bond Fund, for the public health, peace and safety; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the City Auditor is hereby authorized and directed to transfer monies within the said fund as follows:

Division of Sewerage and Drainage, Division 60-05
Fund No. 664, 1991 Voted Sanitary Bond Fund

FROM:		
Project	Title	Amount
650638	McDowell/Sullivant Junction Chamber	\$176,674.04

TO:		
Project	Title	Amount
650876	Greenlawn/Harmon San. Sewer	\$176,674.04

Section 2. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be so made from a project account funded by monies from more than one source.

Section 3. That the Director of Public Utilities be, and hereby is, authorized to reimburse the Division of Transportation for sanitary sewer utility relocations services associated with the Division of Sewerage and Drainage's Greenlawn Ave. Sanitary Improvements Project.

Section 4. The for the purpose of reimbursing the Division of Transportation for utility relocation services stipulated within Section 1 herein, the following expenditure is hereby authorized as follows:

Division	Fund	Object Level Three	Project Acct.	OCA	Amount
60-05	664	6630	650876	650876	\$176,674.04

Section 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0502-02

To authorize the Director of Public Utilities to enter into contract with the Reynolds, Inc., for the construction of the Broad Street Combined Sewer Rehabilitation-Section 2 Project; and to authorize the expenditure of \$2,114,736.00 from the Ohio Water Pollution Control Loan Fund, and to appropriate the proceeds of an OWDA loan for this project, for the Division of Sewerage and Drainage; and to declare an emergency. (\$2,114,736.00)

WHEREAS, three competitive bids for the construction of the Broad Street Combined Sewer Rehabilitation-Section 2 Project, were received on October 24, 2001, and

WHEREAS, the City of Columbus will receive financial assistance from the Ohio Water Development Authority, State of Ohio Water Pollution Control Loan Fund; and therefore is being accounted for within the Ohio Water Pollution Control Loan Fund established by the City Auditor's Office; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage in that is immediately necessary to authorize the Director of Public Utilities to execute the subject contract so as to allow the immediate commencement of the construction services that are required to urgently rehabilitate this vital sanitary sewer with out delay; and to and to appropriate the proceeds of an OWDA loan for this project; thereby preserving the public health, peace and safety; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the proceeds from the Ohio Water Development Authority loan for the project referenced in Section 2; and funds from the unappropriated monies in Fund 666, and from all monies estimated to come into said fund from any and all sources, and unappropriated for any other purpose during the fiscal year ending December 31, 2002, the amount of \$2,570,000.00, is hereby appropriated to the Division of Sewerage and Drainage as follows:

Division	Fund	Object Level Three	Project Acct	OCA	Amount
60-05	666	6630	650467	656467	\$2,570,000.00

Section 2. That the Director of Public Utilities be, and hereby is, authorized to award and execute a contract for construction of the Broad Street Combined Sewer Rehabilitation- Section 2 Project, with the lowest and best bidder, Reynolds, Inc., 4520 N. State Road 37, Orleans, Indiana, 47452-0186, in the amount of \$2,114,736.00 in accordance with the terms and conditions of the Contract on file in the office of the Division of Sewerage and Drainage.

Section 3. That for the purpose of paying the cost of the construction contract for the improvements, the expenditure of \$2,114,736.00, or as much thereof as may be needed, is hereby authorized as follows:

Division	Fund	Object Level Three	Project Acct.	OCA	Amount
60-05	666	6630	650467	656467	\$2,114,736.00

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared an emergency measure and shall take effect and be in force from and after its passage and approval by the mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0503-02

To authorize the Director of Public Utilities to modify the professional engineering services contract with URS Corporation to provide the construction inspection and administration services necessary for the Blacklick Sanitary Interceptor Capacity Augmentation, Part 1 Project; to authorize the expenditure of \$506,910.80 from the 1991 Voted Bond Fund, to transfer \$506,910.80 from within the 1991 Voted Sanitary Bond Fund; and to amend the 2001 Capital Improvements Budget; for the Division of Sewerage and Drainage, and to declare an emergency. (\$506,910.80)

WHEREAS, Contract No. CT18312 was authorized by Ordinance No. 853-97, as passed April 7, 1997, executed June 6, 1997, and approved by the City Attorney on June 27, 1997, for purposes of providing detailed design services for the Blacklick Sanitary Interceptor Capacity Augmentation, Part 1 Project; and

WHEREAS, Contract No. 1 to Contract No. CT18312 was authorized by Ordinance No. 1441-98, as passed June 8, 1998, executed October 29, 1998, and approved by the City Attorney on November 10, 1998, for purposes of including the detailed design of the subject trunk sewer from Refugee Road to Interstate 1-70; and to provide for the payment of an archaeological assessment survey required for construction of both Part 1 and Part 2; and

WHEREAS, the Director of Public Utilities received and publicly opened competitive bid proposals on September 26, 2001, and has just recently received notification of an award of financial assistance to fund the construction contract through the Ohio Water Development Authority; and therefore, requires the immediate award of the lowest and best bid proposal prior to its expiration in March of 2002; and

WHEREAS, the Division of Sewerage and Drainage has determined that it is in the best interest of the Division to modify the subject contract in order to provide the engineering services during construction; construction administration and inspection services that are required to allow for the successful construction of Part 1 of the Blacklick Sanitary Interceptor Capacity Augmentation Project; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage in that is immediately necessary to authorize the Director of Public Utilities to modify the aforementioned professional engineering services contract for purposes of acquiring the construction inspection and administration services required for the immediate commencement of the construction contract for Part 1 of the Blacklick Sanitary Interceptor Capacity Augmentation Project prior to the bid expiring; and to transfer funds from within the 1991 Voted Sanitary Bond Fund; and to amend the 2001 Capital Improvements Budget to affect the said award; thereby preserving the public health, peace and safety; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the City Auditor is hereby authorized and directed to transfer monies within the said fund as follows:

Division of Sewerage and Drainage, Division 60-05
Fund No. 664, 1991 Voted Sanitary Bond Fund

FROM:		
Project	Title	Amount
650473	Brewery Area Separation District	\$506,910.80

TO:		
Project	Title	Amount
650492	Blacklick Sanitary Interceptor	\$506,910.80

Section 2. That the City Auditor is hereby authorized and directed to transfer any Unencumbered balance in the project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be so made from a project account funded by monies from more than one source.

Section 3. That the 2001 Capital Improvements Budget Ordinance No. 0726-01 is hereby amended as follows, in order to provide sufficient budget authority for the execution of a professional engineering services contract modification and a construction contract award as referenced in the preamble hereto:

CURRENT:		
Project CIP No.	Project Title	2001 Budget Amount
650473	Brewery District Sewer Improvements	\$4,740,378
650487	1-670 ODOT Sewer Improvements	\$115,000
650492	Blacklick San. Interceptor Cap. Augmentation	\$207,876
650577	Hilock/Lewis Assessment Sewer	\$530,000
650613	McDannald Estates Assessment Sewer	\$953,000
650621	Rich Street Combined Sewer Rehab.	\$2,262,030
650622	Third St. Combined Sewer Rehab.	\$1,748,000
650649	Atwood Terrace/Weber Relief Sewer	\$174,000
650661	Clintonville Area Stormwater Disconnection	\$472,000
650664	Foster/Acton Sanitary Improvements	\$233,000
650665	Adena Brook Ravine Area San. Improv.	\$569,000
650668	Torrence/Colerain Area Sanitary Improvements	\$384,000
650680	Piedmont/High Area Sanitary Improvements	\$102,000
	TOTAL	\$12,490,284

TO:			
Project CIP No.	Project Title	2001 Budget Amount	Change Amount
650473	Brewery Dist. Sewer Improvements	\$4,041,789	-\$698,589
650487	1-670 ODOT Sewer Improvements	\$0	-\$115,000
650492	Blacklick Sanitary Interceptor Cap. Augmentation	\$5,504,317	\$5,296,441
650577	Hilock/Lewis Assessment Sewer	\$0	-\$530,000
650613	McDannald Estates Assessment Sewer	\$21,960	-\$931,040
650621	Rich Street Combined Sewer Rehab.	\$1,613,394	-\$648,636
650622	Third St. Combined Sewer Rehab.	\$1,283,558	-\$464,442
650649	Atwood Terrace/Weber Relief Sewer	\$0	-\$174,000
650661	Clintonville Area Stormwater Disconnection	\$0	-\$472,000
650664	Foster/Acton Sanitary Improvements	\$25,266	-\$207,734
650665	Adena Brook Ravine Area San. Improv.	\$0	-\$569,000
650668	Torrence/Colerain Area Sanitary Improvements	\$0	-\$384,000
650680	Piedmont/High Area Sanitary Improvements	\$0	-\$102,000
	TOTAL	\$12,490,284	\$0.00

Section 4. That the Director of Public Utilities be, and hereby is, authorized to modify the professional engineering services contract, identified as City Auditor's Contract No. XC818312, with URS Corporation, Inc., 277 West Nationwide Boulevard, Columbus, Ohio 444125-2566, for professional engineering services associated with the Part 1 of the Blacklick Sanitary Interceptor Capacity Augmentation Project, in accordance with the terms and conditions as shown in the Modification No. 2 on file in the office of the Division of Sewerage and Drainage's, Sewer System Engineering Section.

Section 5. That for the purpose of paying the cost of the professional engineering services contract modification the expenditure of \$506,910.80, or as much thereof as may be needed, be and the same is hereby authorized as follows:

Division	Fund	Object Level Three	Project Acct.	OCA	Amount
60-05	664	6676	650492	650492	\$506,910.80

Section 6. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0504-02

To authorize the Director of Public Utilities to enter into contract with the Reynolds, Inc., for the construction of the Franklin-Main Interceptor Rehabilitation, Sections 2 & 3 Project; and to authorize the expenditure of \$647,799.00 from the Ohio Water Pollution Control Loan Fund, and to appropriate the proceeds of an OWDA loan for this project, the Division of Sewerage and Drainage; and to declare an emergency. (\$647,799.00)

WHEREAS, three competitive bids for the construction of the Franklin-Main Interceptor Rehabilitation, Sections 2 & 3 Project, was received on December 12, 2001, and

WHEREAS, the City of Columbus will receive financial assistance from the Ohio Water Development Authority, State of Ohio Water Pollution Control Loan Fund; and therefore is being accounted for within the Ohio Water Pollution Control Loan Fund established by the City Auditor's Office; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage in that is immediately necessary to authorize the Director of Public Utilities to execute the subject contract so as to allow the immediate commencement of the construction services that are required to urgently rehabilitate this vital sanitary sewer without delay; and to and to appropriate the proceeds of an OWDA loan for this project; thereby preserving the public health, peace and safety; now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the proceeds from the Ohio Water Development Authority loan for the project referenced in Section 2; and funds from the unappropriated monies in Fund 666, and from all monies estimated to come into said fund from any and all sources, and unappropriated for any other purpose during the fiscal year ending December 31, 2002, the amount of \$840,000.00, is hereby appropriated to the Division of Sewerage and Drainage as follows:

Division	Fund	Object Level Three	Project Acct.	OCA	Amount
60-05	666	6630	650600	651600	\$840,000.00

Section 2. That the Director of Public Utilities be, and hereby is, authorized to award and execute a contract for construction of the Franklin-Main Interceptor Rehabilitation, Sections 2 & 3 Project, with the lowest and best bidder, Reynolds, Inc., 4520 N. State Road 37, Orleans, Indiana, 47452-0186, in the amount of \$647,799.00 in accordance with the terms and conditions of the Contract on file in the office of the Division of Sewerage and Drainage.

Section 3. That for the purpose of paying the cost of the construction contract for the improvements, the expenditure of \$647,799.00, or as much thereof as may be needed, is hereby authorized as follows:

Division	Fund	Object Level Three	Project Acct.	OCA	Amount
60-05	666	6630	650600	651600	\$647,799.00

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared an emergency measure and shall take effect and be in force from and after its passage and approval by the mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0505-02

To authorize the Public Utilities Director to modify an existing contract for Storm Drainage Catch Basin and Inlet Cleaning with Drier & Mailer, Inc. for the Division of Sewerage and Drainage; to authorize the expenditure of \$100,000.00 from the Sewerage System Operating Fund, and to declare an emergency. (\$100,000.00)

WHEREAS, EL000323 was established for Catch Basin, Storm Drainage and Inlet Cleaning; and,

WHEREAS, it is necessary to extend and increase said contract for a third year of use, per the extension provisions of the contract; and,

WHEREAS, an emergency exists in the usual daily operations of the Division of Sewerage and Drainage, Department of Public Utilities, for the preservation of the public health, peace, property, safety, and welfare; now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Public Utilities be and he is hereby authorized to modify a contract with Drier & Mailer, Inc. for the Division of Sewerage and Drainage, Department of Public Utilities.

Section 2. That the expenditure of \$100,000.00, or so much thereof as may be necessary, be and is hereby authorized from the Sewerage System Operating Fund, Fund No. 650, as follows:

Division No. 60-05 Department of Public Utilities			
OCA	Object Level One	Object Level Three	Amount
605089	03	3375	\$100,000.00

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor disapproves the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0506-02

To authorize the Director of Public Utilities to make payment of \$33,872.99 to Kal Kan Foods for overpayment of an unmetered well account, from the Sewerage System Operating Fund, and to declare an emergency. (\$33,872.99)

WHEREAS, an error was made in billing sanitary sewer charges for an unmetered well account at the Kal Kan Foods facility and the customer is due a refund of overpayments made; and

WHEREAS, an emergency exists in the usual daily operations of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary authorize payment of \$33,872.99 to Kal Kan Foods for the immediate preservation of the public health, peace, property, safety, and welfare; now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That payment of \$33,872.99 to Kal Kan Foods is hereby authorized from the Sewerage System Operating Fund, Fund No. 650, OCA 605006, OL1 05, OL3 5513.

Section 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor disapproves the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0507-02

To authorize and direct the transfer of \$206,857.00 within the 1991 Voted Sanitary Bond Fund, for purposes of providing land acquisition services for three sanitary sewer system capital improvements projects; for the Division of Sewerage and Drainage; and to declare an emergency. (\$206,857.00)

WHEREAS, it is necessary for this Council to authorize the City Auditor to transfer funds the necessary funds to undertake the current sanitary sewer system capital expenditures required of the Division of Sewerage and Drainage, for the Division of Sewerage and Drainage, and

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, that it is immediately necessary to transfer funds within the 1991 Voted Sanitary Bond Fund, in order to provide the City Attorney's Real Estate Section with sufficient funds to acquire the easements necessary to allow for the construction and/or rehabilitation of sanitary sewer infrastructure in connection with the Big Walnut Trunk Sewer Project; the Big Run Sanitary Subtrunk Project; and the Hiawatha Park/Atwood Relief Sewer Project, for the preservation of the public health, peace, property, safety and welfare, now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the transfer of \$206,857.00 within the 1991 Voted Sanitary Bond Fund is hereby authorized to provide funds for various capital improvement projects, as follows:

Division of Sewerage and Drainage, Division 60-05
Fund No. 664, 1991 Voted Sanitary Bond Fund

FROM:		
Project	Title	Amount
650014	Sanitary Sewer Construction	\$206,857.00

TO:		
Project	Title	Amount
650033	Big Walnut Sanitary Trunk Extension	\$125,000.00
650646	Hiawatha Park/Atwood Relief Sewer	\$61,857.00
650489	Big Run San. Subtrunk	\$20,000.00

Section 2. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be so made from a project account funded by monies from more than one source.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0508-02

To authorize and direct the Safety Director to renew and modify an existing contract with Sagem Morpho, Inc. for the Division of Police for the continuation of maintenance support, and to authorize the expenditure of \$172,713.37 for the Division of Police from the General Fund, and to declare an emergency. (\$172,713.37)

WHEREAS, the Department of Public Safety, Division of Police in 1991 purchased from Sagem Morpho, Inc. an Automated Identification Management System (AIMS) and an Automated Fingerprint Identification System (AFIS) was part of that system; and

WHEREAS, the Division purchased from Sagem Morpho, Inc. a 5-year maintenance term, and subsequently renewed that term (ord. #1245-99, passed 6-7-99) with another 5, 1-year renewable maintenance and support terms to include maintenance hardware upgrades; and

WHEREAS, the Division wants to purchase from Sagem Morpho, Inc. (#CT13742 and #CT15893) the fourth term of maintenance and support to continue the successful operation of the AFIS, and

WHEREAS, funds from the Division of Police 2002 General have been budgeted and appropriated; and

WHEREAS, an emergency exists in the usual operation Division of Police, Department of Public Safety, in that it is immediately necessary to renew the maintenance and support agreement to continue the efficient AFIS operation for the preservation of the public health, peace, property, safety, and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Safety Director be and is hereby authorized and directed to purchase the fourth term from Sagem Morpho, Inc. (#CT13742 and #CT15893) in the total amount of \$172,713.37 for the purchase of the fourth term of the maintenance support agreement for the Department of Safety, Division of Police.

Section 2. That the expenditure of \$172,713.37 or so much thereof as may be needed, be and the same is hereby authorized as follows:

Division	Fund	Obj. Lev 1	Obj. Lev 3	OCA	Amount
30-03	010	03	3372	300798	\$172,713.37

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be enforced from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0509-02

To authorize and direct the Director of Public Safety to enter into a contract with Motorola Inc. for backup maintenance service required for continued operation of the Fire and Police 800 MHz Radio, Wireless PA, and Mobile Data RF Communication Systems in accordance with the provisions of sole source procurement, to authorize the expenditure of not to exceed \$93,725.13 from the Communications Division General Fund and to declare an emergency. (\$93,725.13).

WHEREAS, the City requires a Backup Service Maintenance Agreement with Motorola for the Fire and Police 800 MHz Radio, Wireless PA, and Mobile Data RF Communication Systems; and,

WHEREAS, Motorola is the only known company that can provide essential backup service 24 hours a day, seven days a week, to the Fire and Police 800 MHz Radio, Wireless PA, and Data RF Communication Systems operation; and,

WHEREAS, the responsibility of communications maintenance agreements will continue to be that of the Department of Public Safety, Communications Division; and,

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Safety, Communications Division, in that it is immediately necessary to enter into a Backup Service Maintenance Agreement for the Fire and Police 800 MHz Radio, Wireless PA, and Data RF Communication Systems in order to preserve the public peace, health, safety and welfare; now therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Director of Public Safety be and is hereby authorized and directed to enter into a Backup Service Maintenance Agreement with Motorola for the Fire and Police 800 MHz Radio, Wireless PA, and Data RF Communication Systems for the period of April 1, 2002 through March 31, 2003.

Section 2. That this agreement is made in accordance with the provisions of Section 329.07 (c) of the Columbus City Code.

Section 3. That for the purpose stated in Section 1 hereof, the expenditure of \$93,725.13 or so much thereof as may be needed, is hereby authorized from:

DIVISION	SUBFUND	OBJECT LEVEL 2	OBJECT LEVEL 3	OCA CODE	AMOUNT
30-02	010	03	3372	301721	\$93,725.13

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0510-02

To authorize and direct the Finance Director to enter into agreement for the purchase of a 500E helicopter, in accordance with sole source procurement for the Division of Police, to authorize the appropriation and the expenditure of \$1,075,379.00 from the Special Income Tax Debt Service Fund; and to declare an emergency. (\$1,075,379.00)

WHEREAS, M.D. Helicopters, Inc. is the sole source to purchase this type of aircraft; and

WHEREAS, there is a need to purchase this helicopter to improve police response time in helicopter patrol; and

WHEREAS, cost for this purchase was negotiated by City representatives and M.D Helicopters, Inc. personnel; and

WHEREAS, an emergency exists in the daily operation of the Division of Police, Department of Public Safety, in that it is immediately necessary to enter into contract for the purchase of a 500E helicopter for the immediate preservation of the public peace, health, safety, and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Finance Director be and is hereby authorized and directed to enter into agreement with M.D. Helicopters, Inc. for the purchase of a new 500E helicopter, for the Division of Police.

Section 2. To appropriate up to \$1,075,379.00 in fund 430 to the Division of Police, Department of Public Safety for the purchase of a helicopter; Object Level One - 06.

Section 3. That said agreements shall be awarded in accordance with provisions of Section 329.07® (Sole Source) of the Columbus City Code, 1959.

Section 4. That the expenditure of up to \$1,075,379.00 or so much as thereof as may be needed for the purpose described in Section 2 of this ordinance and the same is hereby authorized from fund 430, Object Level One - 06.

Section 5. Proceeds from the disposal of City owned helicopters are to be deposited to fund 430 until full reimbursement is made to fund 430 for the expenditure authorized in Section 4 of this ordinance.

Section 6. Subject to annual appropriations within the General Fund 010, Division of Police, Department of Public Safety; fund 430 shall be reimbursed in five approximately equal annual payments beginning in 2002. Such annual payments are to be in an amount determined by the City Auditor and are to reflect payments referenced in Section 5 of this ordinance.

Section 7. That the City Auditor is authorized to make the necessary transfers and payments between funds, and such funds are hereby deemed appropriated, to carry out the purposes of this ordinance.

Section 8. That for the reasons stated in the preamble hereto, which is hereby made a part thereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be force from and after its passage approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0511-02

To authorize and direct the City Attorney to enter into a contract with Capital University for consulting services for the Night Prosecutor Program, to waive provisions of competitive bidding, to authorize the expenditure of \$140,737.44 from the General Fund, and to declare an emergency. (\$140,737.44)

WHEREAS, the continuation of the Night Prosecutor Program is a necessary and desirable activity in support of the Criminal Justice System in the City of Columbus; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, Division of Law in that it is immediately necessary to enter into said contract for the preservation of the public health, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the City Attorney be and she is hereby authorized and directed to contract on behalf of the City of Columbus with Capital University for services beginning January 1, 2002, for provision of the Consultant Services necessary to continue the operation of the Night Prosecutor Program.

Section 2. That the expenditure of the sum of One Hundred Forty Thousand Seven Hundred Thirty-Seven Dollars and 44/100 (\$140,737.44) or so much thereof as may be necessary for performance of such contract is hereby authorized from Department 24-01, Fund 01-100, OCA Code 240101, Object Level One 03, Object Level Three 3336 to pay the cost of said contract.

Section 3. That for reasons stated herein. Council finds it to be in the best interest of the City to waive, and therefore waives, Columbus City Code Section 329.06.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0512-02

To authorize the City Attorney to enter into the third year of a lease with Katherine S. LeVeque, DBA, LeVeque Tower, to authorize the expenditure of \$57,596.00 from the general fund and to declare an emergency.

WHEREAS, the City Attorney has a continuing need for additional office space and associated equipment and resources necessary to provide staffing support for pending litigation in connection with the Department of Justice; and

WHEREAS, there is presently insufficient office space and associated equipment available in other City owned premises necessary to provide the required access and flexibility incident to the requirements of such litigation; and

WHEREAS, there is an emergency in the usual daily operation of the City Attorney's Office in that it is immediately necessary to enter into the second year of such lease for the preservation of the public health, safety and welfare, now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the City Attorney be and she is hereby authorized to enter into the third year of a lease with Katherine S. LeVeque, DBA LeVeque Tower, for office space and associated equipment in accordance with the terms and conditions of a lease agreement determined by the City Attorney for such purposes.

Section 2. That the City Attorney is hereby authorized to expend for such purposes the sum of (\$57,596.00), from Division 2405, Fund No. 010, Object Level One 03, Object Level Three 3304, and OCA Code 242438.

Section 3. That for the purposes set forth in the preamble hereof, which is incorporated herein by reference, this ordinance is hereby deemed to be an emergency measure immediately necessary for the protection of the public health, safety and welfare, and shall take effect and be in force immediately after passage and signature by the Mayor, or within ten (10) days thereafter if the Mayor neither signs nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0513-02

To authorize and direct the City Attorney to settle the property damage claim of the City of Columbus against Michelle Barrett; to authorize the transfer of title of City of Columbus, 1994 Mercury Cougar, BT#19642, to Liberty Mutual Insurance Company; and to declare an emergency.

WHEREAS, on November 30, 2001 an accident occurred between a Division of Police vehicle driven by Detective Jarrod L. James and a vehicle owned and operated by Michelle Barrett; and,

WHEREAS, this accident was the result of Michelle Barren's failure to maintain assured clear distance ahead; and,

WHEREAS, the subject vehicle owned by the City of Columbus e.g. 1994 Mercury Cougar, BT#19642 is a total loss as a result of said accident; and,

WHEREAS, City of Columbus has demanded compensation for its loss from Michelle Barrett and/or her motor vehicle insurance carrier, e.g. Liberty Mutual Insurance Company; and,

WHEREAS, the parties have agreed to settle the City's claim by paying the City the sum of Five Thousand, Eight Hundred Thirty Dollars and 14/100 (\$5830.14) in exchange for the transfer of the salvage title of the subject vehicle to Liberty Mutual Insurance Company; said vehicle not be to transferred until all equipment unique to the City of Columbus Division of Police has been removed; and,

WHEREAS, a settlement in the above-stated amount in exchange for transfer of salvage title is deemed reasonable; and,

WHEREAS, The Columbus City Code 1959, section 329.27 authorize waiver of regulations; and,

WHEREAS, It is in the best interest of the City to waive section 329.26 of the Columbus City Code 1959; and,

WHEREAS, an emergency exists in the usual daily operation of the Division of Police in that it is immediately necessary to transfer the title of the subject motor vehicle [1994 Mercury Cougar, BT# 19642] to preserve public welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the City Attorney be and hereby is authorized and directed to settle the property damage claim of the City of Columbus against Michelle Barrett and her insurance carrier. Liberty Mutual Insurance Company by transferring title to the 1994 Mercury Cougar, BTO 19642 in exchange for payment in the amount of Five Thousand Eight Hundred Thirty Dollars and 14/100 (\$5,830.14) as a reasonable settlement in the best interest of the City.

Section 2. That the settlement is for the purpose of this ordinance and is not an admission of liability for the claim arising out of the incident as set forth herein.

Section 3. That for the purposes of effectuating this settlement, the City of Columbus, Public Service Department, Division of Fleet Management, is hereby authorized and directed to transfer salvage title to Liberty Mutual Insurance Company upon receipt by the Auditor of payment in the sum of Five Thousand Eight Hundred Thirty Dollars and 14/100 (\$5,830.14).

Section 4. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0514-02

To authorize the Public Service Director to modify and increase a contract for the Division of Facilities Management with General Maintenance & Engineering Company for additional services associated with renovation of the Beacon Building roof; to authorize the expenditure of \$40,250.00 from the Division of Facilities Management's Capital Improvement Fund; and to declare an emergency. (\$40,250.00)

WHEREAS, a contract with General Maintenance & Engineering Company was established through the competitive bid process for roof renovation of the Beacon Building, and

WHEREAS, ordinance number 1166-01 passed by City Council on June 8, 2001 authorized the Division of Facilities Management to enter into contract with General Maintenance & Engineering Company for roof renovation, and

WHEREAS, due to unforeseen circumstances, the Beacon Building roof needs additional repair services, and

WHEREAS, an emergency exists in the usual daily operation of the Division of Facilities Management in that it is immediately necessary to authorize the Public Service Director to modify and increase a contract with General Maintenance & Engineering Company for additional services associated with renovation of the Beacon Building roof, thereby preserving the public health, peace, property, safety, and welfare; now, therefore, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Public Service Director is hereby authorized to modify and increase contract EL001488 with General Maintenance & Engineering Company for additional services associated with renovation of the Beacon Building roof, 50 West Gay Street.

Section 2. That the expenditure of \$40,250.00, or so much thereof that may be necessary, in regard to the action authorized in SECTION 1., be and is hereby authorized and approved as follows:

FROM:						
Division	Fund	OCA Code	Project	Obj. Lvl. 1	Obj. Lvl. 3	Amount
59-07	733	643437	570030	06	6620	\$40,250.00

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0515-02

To authorize the Director of the Public Service Department to execute those documents necessary to grant aerial and subsurface encroachment easements for the proposed medical office building to be constructed at 285 East State Street; and to declare an emergency.

WHEREAS, State Sixth LLC has requested the City grant subsurface and aerial encroachment easements for a proposed medical office building to be constructed at 285 East State Street; and

WHEREAS, the aerial easements are for building overhang along a portion of Sixth Street and for an overhead walkway across Sixth Street that will connect this new building with Grant Hospital while the subsurface easements are for a series of caissons, columns and ancillary supports for the building overhang; and

WHEREAS, this site is currently a surface parking facility that generates minimal taxes for the City; and

WHEREAS, after completion of the proposed project the building will contain over 100,000 square feet of medical office space and will provide medical jobs for 250 - 400 people; and

WHEREAS, this project is part of the overall redevelopment of Grant Hospital's main campus; and

WHEREAS, a value of \$45,757.78 was determined for the requested encroachment easements, however, the Land Review Commission has voted to recommend these easements be granted at no charge in recognition of the substantial tax benefits and streetscape enhancements that will be realized by the City upon completion of this project; and.

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division, in that it is immediately necessary to authorize the Director to execute those documents necessary to grant the requested encroachment easements so that construction of the proposed medical office building can proceed without delay and the proposed schedule for the overall redevelopment of Grant Hospital's main campus can be maintained thereby preserving the public health, peace, property, safety and welfare; now, therefore, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Public Service Department be and is hereby authorized to execute those documents prepared by the Department of Law, Real Estate Division, necessary to grant the following described encroachment easements to State Sixth LLC, to-wit:

Description of a 0.017 acres parcel of land located in the City of Columbus, County of Franklin, State of Ohio, being a permanent easement above elevation 788.00 feet and below elevation 804.00 crossing Sixth Street, as such is defined by the plat of Kelley, Northrup and Kerr's Allotment of the Central Reservation, as delineated in Deed Book 19, Page 464, Recorder's Office, Franklin County, Ohio, said 0.017 acres parcel being more fully described as follows:

Beginning for reference at an iron pin found, said iron pin being the northeasterly corner of Lot 43, said Kelley, Northrup and Kerr's Allotment;

Thence, North 81° 35' 09" East, with the projected northerly line of said Lot 43, and the line of a permanent easement to the grantee, a distance of 10.00 feet to a point;

Thence, South 7° 59' 38" East, parallel to and ten feet easterly of the easterly line of said Lot 43 with the line of a permanent easement to the grantee, a distance of 158.48 feet to a point, the true point of beginning of an aerial easement above elevation 788.00 feet, North American Vertical Datum 1988, being described;

Thence, North 82° 00' 22" East, crossing said Sixth Street, a distance of 50.00 feet to a point in the westerly line of Lot 44, said Kelly, Northrup, and Kerr's Allotment, also being the easterly line of said Sixth Street;

Thence, South 7° 59' 38" East, with the westerly line of said Lot 44, and the easterly line of Sixth Street, a distance of 15.00 feet to a point;

Thence, South 82° 00' 22" West, crossing said Sixth Street, a distance of 50.00 feet to a point the line of a permanent easement to the grantee;

Thence, North 7° 59' 38" West, along the said permanent easement line, a distance of 15.00 feet to the true point of beginning of the aerial easement. The parcel, as described above, contains 0.017 acres, more or less.

The above bearing are based upon an A.L.T.A. Survey performed for URS, Inc. in which the northerly line of Lot 43 bears North 81° 35' 09" East. This easement is also subject to a permanent easement ten feet in width on the easterly side of said Lot 43 being acquired by the grantee.

Roger M. Smith P.S.-P.E., Ohio Registered Surveyor S-6899

AND

Description of a 0.043 acres parcel of land located in the City of Columbus, County of Franklin, State of Ohio, being a permanent easement above elevation 760.43, North American Vertical Datum 1988 in Sixth Street along the easterly side of Lot 43, as such is defined by the plat of Kelley, Northrup and Kerr's Allotment of the Central

Reservation, as delineated in Deed Book 19, Page 464, Recorder's Office, Franklin County, Ohio, said 0.043 acres parcel being more fully described as follows:

Beginning at an iron pin found, said iron pin being the northeasterly corner of Lot 43, said Kelley, Northrup and Kerr's Allotment, the true point of beginning of the permanent easement being described;

Thence, North 81° 35' 09" East, with the projected northerly line of said Lot 43, a distance of 10.00 feet to a point;

Thence, South 7° 59' 38" East, parallel to and ten feet easterly of the easterly line of said Lot 43, a distance of 188.48 feet to a point;

Thence, South 81° 35' 09" West a distance of 10.00 feet to the southeasterly corner of said Lot 43;

Thence, North 7° 59' 38" West, along the easterly line of said Lot 43, a distance of 188.48 feet to the true point of beginning of the permanent easement being described. The easement, as described above, contains 0.043 acres, more or less.

The above bearing are based upon an A.L.T.A. Survey performed for URS, Inc. in which the northerly line of Lot 43 bears North 81° 35' 09" East.

Roger M. Smith P.S., P.E., Ohio Registered Surveyor S-6899

AND

PERMANENT EASEMENT FOR CAISSON CONSTRUCTION

BELOW NAVD88 ELEVATION 760.43

Description of a 0.055 acre parcel of land located in the City of Columbus, County of Franklin, State of Ohio in accordance with a plan entitled William W. Wilkins Professional Building at 285 East State Street, dated December 7, 2001, describing a parcel of the lands of the City of Columbus, within East State Street, Sixth Street, and Chapel Street, below elevation 760.43 feet. North American Vertical Datum 1988, being a part of Kelley, Northrup and Kerr's Allotment of the Central Reservation, as platted and delineated in Deed Book 19, Page 464, this and all further references being to the records of the Franklin County Recorder's Office, said 0.055 acres being more particularly described as follows:

Beginning at an iron pin found at the northwesterly corner of a Grant Medical Center parcel, of record in O. R. 14623 B07, said iron pin being the true point of beginning of the permanent easement for construction purposes being described;

Thence, North 07°59'38" West with the projection of the westerly line of the said Grant Medical Center parcel into East State Street, a distance of 1.71 feet to a point;

Thence, North 82°00'22" East, within the dedication area of said East State Street, a distance of 106.38 feet to a point;

Thence, South 07°59'38" East, within the dedication area of Sixth Street, a distance of 190.50 feet to a point;

Thence, South 82°00'22" West, within the dedication area of Chapel Street, a distance of 106.38 feet to a point;

Thence, North 07°59'38" West, with the southerly projection of the westerly line of the said Grant Medical Center parcel, a distance of 0.33 feet to a railroad spike found;

Thence, North 81°33'26" East, with the northerly line of Chapel Street and the southerly of Grant Medical Center lands, Being Part of Lot 42 and all of Lot 43, distance of 94.72 feet to a point at the southeasterly corner of said Lot 43;

Thence, North 07°59'38" West, with the westerly line of Sixth Street and the easterly line of said Lot 43, a distance of 188.48 feet to an iron pin found at the northeasterly corner of said Lot 43;

Thence, South 81°33'55" West, with the northerly line of said Lot 43 and the easterly part of Lot 42, a distance of 94.72 feet to the TRUE POINT OF BEGINNING of the permanent easement being described. The parcel, as described above, contains 0.055 acres, more or less.

The above bearing are based upon an A.L.T.A. Survey performed for URS, Inc. in which the northerly line of Lot 43 bears North 81° 35' 09" East.

Roger M. Smith P.S., P.E., Ohio Registered Surveyor S-6899

Section 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0516-02

To authorize and direct the transfer of \$991,400 between object levels within the General Fund, Department of Public Service, Division of Fleet Management, to provide funds to purchase vehicles for various city agencies; and to declare an emergency. (\$991,400)

WHEREAS, Due to the need to involve Fleet Management Division in the vehicle purchase decision making process, funds for the purchase of vehicles citywide were budgeted in the Department of Public Services, Fleet Management Division's general fund; and

WHEREAS, it is now necessary to authorize the transfer of \$991,400 between object levels in the General Fund, Department of Public Service, Fleet Management Division to properly align appropriations with projected vehicle expenditures; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to transfer funds for the aforementioned purpose for the preservation of the public health, peace, property, safety, and welfare; now, therefore;
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the City Auditor be and is hereby authorized and directed to transfer \$991,400 within the General Fund, Department of Public Service Division of Fleet Management as follows:

FROM:					
Division	Fund	OCA Code	Object Level 1	Object Level 3	Amount
59-05	010	905905	10	5501	\$991,400

TO:					
Division	Fund	OCA Code	Object Level 1	Object Level 3	Amount
59-05	010	591201	06	6650	\$991,400

Section 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0517-02

To authorize the transfer and appropriation of \$200,000.00 from the Voted 1995/1999 Streets & Highways Fund and direct the expenditure of \$200,000.00 therefrom to reimburse the Transportation Division, Street Construction, Maintenance and Repair Fund for costs associated with the Traffic Signal Installation Project; and to declare an emergency. (\$200,000.00)

WHEREAS, there is a need to transfer and appropriate funds to reimburse the Transportation Division Street Construction Maintenance & Repair Fund for costs associated with traffic signal installations; and

WHEREAS, an emergency exists in the usual daily operation of the Transportation Division to authorize the expenditure of bond monies from the Voted 1995/1999 Streets & Highways Fund in order to reimburse the Street Construction, Maintenance & Repair Fund for costs associated with the Traffic Signal Installation Project for the immediate preservation for the public health, peace, property, safety and welfare, now, therefore, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the transfer of \$200,000.00 cash and appropriation within the Voted 1995/1999 Streets & Highways Fund No. 704 be and is hereby authorized to provide funds in the proper project account accounts for Traffic Signal Installation for the Transportation Division.

FROM:					
DIVISION	FUND	OCA	PROJECT	DESCRIPTION	AMOUNT
59-09	704	644377	540013	Permanent Pavement Markings	\$35,791.00
59-09	704	644377	540009	Traffic Vehicles	\$64,114.00
59-09	704	644377	540010	Safety Congestion	\$92,862.36
59-09	704	644377	540002	Bikeway Development	\$ 258.00
59-09	704	644377	540003	Computerized Signals	\$ 6,975.00
				TOTAL	\$200,000.00

TO:					
DIVISION	FUND	OCA	PROJECT	DESCRIPTION	AMOUNT
59-09	704	644377	540007	Traffic Signal Installation	\$200,000.36

Section 2. That the sum of \$200,000.00, or so much as may be necessary, be and is hereby authorized to be expended from the Voted 1995/1999 Streets & Highways Fund as follows:

DIVISION	FUND	OCA	OBJECT LEVEL ONE	PROJECT	DESCRIPTION	AMOUNT
59-09	704	644377	6621	540007	Traffic Signal Installation	\$200,000.00

Section 3. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be so made from a project account funded by monies from more than one source.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0518-02

To authorize and direct the Finance Director to issue a blanket order for parking meter parts and accessories for the Transportation Division in accordance with the sole source provisions of the Columbus City Code; to authorize the expenditure of \$95,000.00 from the General Fund and to declare an emergency. (\$95,000.00)

WHEREAS, there is a need to establish a blanket purchase order for parking meter parts and accessories; and

WHEREAS, this purchase will be made in accordance with the sole source provisions of the Columbus City Code; and

WHEREAS, Charles Lee Associates Inc., is the sole distributor for parts for the Mackay parking meters; and

WHEREAS, Charles Lee Associates Inc. is a certified FBE contractor; and

WHEREAS, an emergency exists in the usual daily operation of the Transportation Division in that it is necessary to issue a blanket purchase order for the purchase of parking meter parts and accessories for the immediate preservation of the public health, peace, property, safety, and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Finance Director be and is hereby authorized and directed to issue a blanket purchase order to Charles Lee Associates Inc., in accordance with the sole source provisions of the Columbus City Code, Section 329.07 (c) for the purchase of parking meter parts and accessories for the Transportation Division.

Section 2. That the expenditure of \$95,000.00, or so much thereof as may be needed is hereby authorized from:

FUND	DIVISION	OCA	OBJECT LEVEL THREE
010	59-09	599113	2246

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0519-02

To authorize the Public Service Director to enter into contract for the Division of Facilities Management with Riley & Associates, Inc. for renovation of direct digital controls at the Police Academy firing range; to authorize the expenditure of \$22,570.00 from the Division of Police's Capital Improvement Fund; and to declare an emergency. (\$22,570.00)

WHEREAS, an emergency exists in the usual daily operations of the Division of Facilities Management in that I immediately necessary to authorize the Public Service Director to enter into contract with Riley & Associates, Inc. for renovation of direct digital controls at the Police Academy firing range; thereby preserving the public health, peace, property, safety, and welfare; now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Public Service Director be and is hereby authorized to enter into contract for the Division Facilities Management with Riley & Associates, Inc. for renovation of direct digital controls at the Police Academy firing range, 2609 McKinley Avenue.

Section 2. That the expenditure of \$22,570.00, or so much thereof as may be necessary, in regard to the action authorized in Section 1., be and is hereby authorized and approved as follows:

FROM:							
Division	Fund	OCA Code	Obj. Lvl. 1	Obj. Lvl. 3	Project	Title	Amount
30-03	701	644476	06	6620	330021	Police Facilities Renovation	\$22,570.00

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0520-02

To authorize and direct the Finance Director to issue blanket purchase orders for various auto, truck and equipment parts, supplies, accessories and services for the Fleet Management Division, to authorize the expenditure of \$1,120,000.00 from the Fleet Maintenance Fund, to waive the competitive bidding requirements of the Columbus City Codes, and to declare an emergency. (\$1,120,000.00)

WHEREAS, the purchase of various auto, truck and equipment parts, supplies, accessories and services that cannot be reasonably anticipated is required by the Fleet Management Division, and

WHEREAS, it is in the best interest of the City of Columbus to waive formal competitive bidding requirements for the purchase of various auto, truck and equipment parts, supplies, accessories and services, and

WHEREAS, an emergency exists in the usual daily operation of the Fleet Management Division, Public Service Department, in that it is immediately necessary to arrange for the purchase of various auto, truck and equipment parts, supplies, accessories and services thereby preserving the public health, peace, property, safety, and welfare, now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Finance Director be and hereby is authorized and directed to establish blanket purchase orders for auto, truck and equipment parts, supplies, accessories and services without benefit of formal competitive bidding provided the Fleet Management Division Administrator first authorizes the purchase via the issuance of Fleet Management purchase orders and that the blanket purchase orders are certified from the Auditor's Certificate established by this ordinance and no single purchase exceeds \$20,000.00.

Section 2. That the vendors and amounts for parts, supplies and accessories will be certified from the Auditor's Certificate as follows:

VENDOR	CC#	AMOUNT	OBJECT LEVEL THREE CODE
Automotive Distributors	311145093	\$55,000.00	2284
Buckeye Power Sales	314365080	\$20,000.00	2245
Burdick Equipment Company	311232766	\$20,000.00	2245
CarQuest Auto Parts	560663185	\$55,000.00	2284
Holtz Industries	311243343	\$15,000.00	2245
D & M Distributors	310926900	\$55,000.00	2284
Graham Ford	340901877	\$30,000.00	2284
Green Thumb Power Equipment	311346066	\$40,000.00	2284
Horton Emergency Vehicles	352018529	\$25,000.00	2284
Worldwide Equipment	610871032	\$50,000.00	2284
Principal Truck	341658635	\$25,000.00	2284
McLean Company	340762688	\$10,000.00	2245
Schodorf Truck Body	314416487	\$35,000.00	2284
Tech Source	270528341	\$15,000.00	2284
Rim & Wheel	311146717	\$35,000.00	2284
ESEC, dba Columbus Peterbilt	341285858	\$50,000.00	2284
Holt Company	311131044	\$15,000.00	2284
Lauren Industries	311471800	\$25,000.00	2284
Lorenz Equipment	314417754	\$10,000.00	2284
Utility Truck Equipment	310989420	\$20,000.00	2284
US Hydraulic Services	311505105	\$10,000.00	2284
WW Grainger	361150280	\$35,000.00	2288
Columbus Fasteners	311187503	\$10,000.00	2284
Baker Vehicle Systems	340690924	\$50,000.00	2245
Ace Truck Body	310936828	\$15,000.00	2284
Driveline 1, Inc.	311353823	\$15,000.00	2284

Baldwin & Sours	311104513	\$20,000.00	2245
NAPA Distribution Center	580254510	\$20,000.00	2284
Powerscreen of Ohio	621227239	\$10,000.00	2245

Section 3. That the vendors and amounts for automotive services will be certified from the Auditor's Certificate as follows:

VENDOR	CC#	AMOUNT	OBJECT LEVEL THREE CODE
Flora Diesel	311202449	\$40,000.00	3373
Hydro Supply	311065617	\$50,000.00	3373
Nobles, Inc.	310787367	\$60,000.00	3355
Schodorf Truck Body	314416487	\$60,000.00	3373
Wilson's Auto Service	310668047	\$50,000.00	3373
Cummins Interstate Power	311191595	\$30,000.00	3373
ESEC, dba Columbus Peterbilt	341285858	\$40,000.00	3373

Section 4. That in accordance with Section 329.27 of the Columbus City Codes, the Columbus City Council finds it in the best interest of the City of Columbus to waive formal competitive bidding requirements as they pertain to the action authorized in Section 1 and that Section 329.06 of the Columbus City Codes is hereby waived.

Section 5. That the expenditure of \$1,120,000.00, or so much thereof as may be needed, is hereby authorized and directed to be expended from the Fleet Management Fund 513, Department No. 59-05, Object Level One 02, Object Level Three 2245, 2284, 2288, 3355 and 3373, OCA Code 591347 to pay the cost thereof.

Section 6. That for the reasons set forth in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0521-02

To authorize the vacation of those easements and rights-of-way shown on the plat titled "Turkey Run Office Park" of record in Plat Book 57, Page 109, Franklin County, Ohio, Recorder's Office, excepting there from that portion of Olentangy River Road dedicated pursuant to said plat; to waive the Land Review Commission provisions of Columbus City Codes; and to declare an emergency.

WHEREAS, Ordinance 2510-80, passed November 3, 1980, authorized the City to accept the plat titled "Turkey Run Office Park", of record in Plat Book 57, Page 109, Franklin County, Ohio, Recorder's Office; and

WHEREAS, pursuant to this plat acceptance the City of Columbus became the owner of those easements and rights-of-way shown on said plat; and

WHEREAS, in March 1995, Hospital Properties, Inc., fee owner of the lands within the area encompassed by said plat, filed a petition with the Franklin County Common Pleas Court asking for the vacation of this plat; and

WTIEREAS, the plat was vacated on April 10, 1996 by virtue of a Judgment Entry issued by the Franklin County Court of Common Pleas; and

WHEREAS, after the plat was vacated Hospital Properties, Inc., and Grant/Riverside Methodist Hospitals Corporation obtained building permits from the City of Columbus to develop the McConnell Heart/Health center on that portion of the site located along Olentangy River Road; and

WHEREAS, in 2001 while working on the development of another facility on the site it was discovered that the City had never vacated the easements and rights-of-way shown on said plat; and

WHEREAS, vacation of these easements and rights-of-way \\i\\ remove a cloud on the title to the property and will allow for continued development of the site; and

WHEREAS, it is immediately necessary to authorize the vacation of these easements and rights-of-way so that the cloud on the title to said property can be removed and development of the site encumbered with these easements and rights-of-way can continue without delay thereby preserving the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That with the exception of that portion of Olentangy River Road dedicated pursuant to said plat, the easements and rights-of-way shown on the plat titled "Turkey Run Office Park" of record in Plat Book 57, Page 109, Franklin County, Ohio, Recorder's Office, shall be and hereby are vacated.

Section 2. That this Council has determined it is in the best interest of the City of Columbus to allow these easements and rights-of-way to be vacated without requiring Land Review Commission consideration and that to the extent that they may apply the Land Review Commission provisions of Columbus City Codes (1959) Revised, Section 328.01 are hereby waived.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0522-02

To authorize the City Auditor to transfer \$13,850.00 from the Special Income Tax Fund to the Voted 1999 Blind School Renovation Fund; to authorize the appropriation of said funds; to authorize the Board of Health to enter into various contracts for the former Ohio Blind School; and to declare an emergency. (\$13,850.00)

WHEREAS, a need exists for installation of carpet, signage, and audio visual consulting services as part of the renovation at the Ohio Blind School facility located at 240 Parsons Avenue; and

WHEREAS, the establishment of funding is necessary to allow payment for these services; and WHEREAS, an appropriation and transfer of funds is necessary for the project to proceed; and

WHEREAS, the City will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund this transfer should be considered as a temporary funding method; and

WHEREAS, the aggregate principal amount of obligations which the City will issue to finance this part of the project is presently expected not to exceed \$13,850.00; and

WHEREAS, it is immediately necessary to both appropriate said funds from the Special Income Tax Fund and transfer said funds into the Voted 1999 Blind School Renovation Fund; and

WHEREAS, the Board of Health is hereby authorized to enter into a contract with O.C. Carpets, Inc., for the installation of carpet for the Ohio Blind School Renovation Building Project; and,

WHEREAS, the Board of Health is hereby authorized to enter into a contract with Hanover Signs, Inc., for the installation of signage for the Ohio Blind School Renovation Building Project; and,

WHEREAS, the Board of Health is hereby authorized to enter into a contract with D S & Inc., for audio visual consulting services for the Ohio Blind School Renovation Building Project; and,

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to both appropriate said funds from the Special Income Tax Fund and transfer said funds into the Voted 1999 Blind School Renovation Fund, and to enter into contracts for various services for the Ohio Blind School Renovation Building Project for the immediate preservation of the public health, peace, property safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the sum of \$13,850.00 be and is hereby appropriated from the unappropriated balance of the Special Income Tax Fund, 430, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2002 to the City Auditor, Department No. 22-01, Object Level One 10, OCA Code 902023, Object Level Three 5502.

Section 2. That the City Auditor is hereby authorized to transfer said funds to the Voted 1999 Blind School Renovation Fund at such time as is deemed necessary by the City Auditor, and to expend said funds, or so much thereof as may be necessary.

Section 3. That the amount of \$13,850.00 is hereby appropriated to the Voted 1999 Blind School Renovation Fund No. 706 for the Health Department, Dept./Div. No. 50-01, Object Level One 06, Project 570053, OCA 597013.

Section 4. That the Board of Health is hereby authorized and directed to enter into a contract with C.O. Carpets, Inc., for the installation of carpet for the Ohio Blind School Renovation Building Project, in an amount not to exceed \$6,000.00.

Section 5. That the Board of Health is hereby authorized and directed to enter into a contract with Hanover Signs, Inc., for the installation of signage for the Ohio Blind School Renovation Building Project, in an amount not to exceed \$4,000.00.

Section 6. That the Board of Health is hereby authorized and directed to enter into a contract with D S & A, Inc., for audio visual consulting for the Ohio Blind School Renovation Building Project, in an amount not to exceed \$3,850.00.

Section 7. That the expenditure of \$13,850.00 is hereby authorized from the Ohio Blind School Renovation Fund, Fund No. 706, Project No. 570053, Department of Health, Division No. 50, Object Level One 06, Object Level Three 6620, OCA No. 597013.

Section 8. The City Auditor is authorized to establish proper accounting project numbers.

Section 9. That upon obtaining other funds for the Blind School Renovation project, the City Auditor is hereby authorized to repay the Special Income Tax Fund the amount transferred under Section 2 above, and said funds are hereby deemed appropriated for such purpose.

Section 10. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modification associated with expenditure of the funds transferred in Section 2, above.

Section 11. The City intends that this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations promulgated pursuant to the Internal Revenue Code of 1986, as amended.

Section 12. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0523-02

To authorize a supplemental appropriation of \$290,000.00 from the unappropriated balance of the Health Department Grants Fund for Hospice of Columbus, to authorize the Board of Health to enter into contracts with various nursing homes for Hospice of Columbus patients, to waive the City Code provisions for competitive bidding, to authorize the expenditure of \$182,000.00 from the Health Department Grants Fund, and to declare an emergency. (\$182,000.00)

WHEREAS, supplemental appropriation is necessary to provide for personnel and services to Hospice of Columbus; and,

WHEREAS, nursing home contracts are necessary in order to reimburse the nursing homes for the Medicaid fee that covers the patient's room and board expenses; and,

WHEREAS, emergency legislation is necessary so as to allow the financial transaction to be posted in the City's accounting system as soon as possible as up to date financial posting promotes accurate accounting and financial management.

WHEREAS, an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to appropriate the aforementioned grant funds and enter into said contracts with various nursing homes for the preservation of the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That from the unappropriated funds in the Health Department Grants Fund, Fund No. 251, and from all monies estimated to come into said fund from all sources and unappropriated for any other purpose during the period ending December 31, 2002, the sum of \$290,000.00 is appropriated to the Department of Health, Division No. 50-01, as follows:

Grant No	Object Level One	Object Level Three	OCA	Amount
508018	01	1100	501395	\$ 90,000.00
508018	03	3300	501395	\$200,000.00
Total Appropriation:				\$290,000.00

Section 2. That the monies appropriated in the foregoing Section 1 shall be paid upon order of the Health Commissioner, and that no order shall be drawn on money paid except by voucher, the form of which shall be approved by the City Auditor.

Section 3. That the Board of Health is hereby authorized and directed to enter into contracts with the following nursing homes for the period January 1, 2002 through December 31, 2002:

Vendor	Contract Compliance Number
Altercare of Westerville	34-196-4444
Beverly Health and Rehabilitation	31-099-4448
Broadview Health Care Center	31-129-2229
Bryden Place Nursing Home	31-170-6792
Franklin Woods Health Care Center	52-208-5557
Good Shepherd Nursing Home	31-123-9823
Heartland Victorian Village	34-440-2510
Minerva Park Health Care Center	52-208-5557
Nelson Park Nursing Home	31-170-6792
The Ohio State University Hospital	31-134-0739
University Home Care	31-145-7189
Winchester Place Nursing Home	52-208-5557

Section 4. That the provisions of the Columbus City Code 329.09, 329.11, and 329.12 are hereby waived.

Section 5. That to pay the cost of said contracts, the expenditure of \$182,000.00, is hereby authorized from the Health Department Grants Fund, Fund No. 251, Department No. 50, Grant Number 508018, OCA 501395, Object Level One 03, Object Level Three 3337.

Section 6. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0524-02

To authorize the City Auditor to transfer \$150,000.00 from the Special Income Tax Fund to the Voted 1999 Blind School Renovation Fund; to authorize the appropriation of said funds; to authorize the Board of Health to enter into contracts as necessary for the renovation of the former Ohio Blind School; and to declare an emergency. (\$150,000.00)

WHEREAS, a need exists for the renovation of the carriage house of at the Ohio Blind School facility located at 240 Parsons Avenue; and

WHEREAS, the establishment of funding is necessary to allow payment for these services; and

WHEREAS, an appropriation and transfer of funds is necessary for the project to proceed; and

WHEREAS, the City will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund, this transfer should be considered as a temporary funding method; and

WHEREAS, the aggregate principal amount of obligations which the City will issue to finance this part of the project is presently expected not to exceed \$150,000.00; and

WHEREAS, it is immediately necessary to both appropriate said funds from the Special Income Tax Fund and transfer said funds into the Voted 1999 Blind School Renovation Fund; and

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to both appropriate said funds from the Special Income Tax Fund and transfer said funds into the Voted 1999 Blind School Renovation Fund for the immediate preservation of the public health, peace property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the sum of \$150,000.00 be and is hereby appropriated from the unappropriated balance of the Special Income Tax Fund, 430, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2002 to the City Auditor, Department No. 22-01, Object Level One 10, OCA Code 902023, Object Level Three 5502.

Section 2. That the City Auditor is hereby authorized to transfer said funds to the Voted 1999 Blind School Renovation Fund at such time as is deemed necessary by the City Auditor, and to expend said funds, or so much thereof as may be necessary.

Section 3. That the amount of \$ 150,000.00 is hereby appropriated to the Voted 1999 Blind School Renovation Fund No. 706 for the Health Department, Dept./Div. No. 50-01, Object Level One 06, Project 570053, OCA 597013.

Section 4. That the Board of Health is hereby authorized and directed to enter into contract for the renovation of the carriage house at the Ohio Blind School Renovation Building Project.

Section 5. That the expenditure of \$150,000.00 is hereby authorized from the Ohio Blind School Renovation Fund, Fund No. 706, Project No. 570053, Department of Health, Division No. 50, Object Level One 06, Object Level Three 6620, OCA No. 597013.

Section 6. The City Auditor is authorized to establish proper accounting project numbers.

Section 7. That upon obtaining other funds for the Blind School Renovation project, the City Auditor is hereby authorized to repay the Special Income Tax Fund the amount transferred under Section 2 above, and said funds are hereby deemed appropriated for such purpose.

Section 8. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modification associated with expenditure of the funds transferred in Section 2, above.

Section 9. The City intends that this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations promulgated pursuant to the Internal Revenue Code of 1986, as amended.

Section 10. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0525-02

To authorize the City Auditor to transfer \$3,000.00 from the Special Income Tax Fund to the Voted 1999 Blind School Renovation Fund; to authorize the appropriation of said funds; to authorize the Director of Finance to enter into contract as necessary for the purchase of storage units at the former Ohio Blind School; and to declare an emergency. (\$3,000.00)

WHEREAS, a need exists for the purchase of storage units at the Ohio Blind School facility located at 240 Parsons Avenue; and

WHEREAS, the establishment of funding is necessary to allow payment for these services; and

WHEREAS, an appropriation and transfer of funds is necessary for the project to proceed; and

WHEREAS, the City will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund this transfer should be considered as a temporary funding method; and

WHEREAS, the aggregate principal amount of obligations which the City will issue to finance this part of the project is presently expected not to exceed \$3,000.00; and

WHEREAS, it is immediately necessary to both appropriate said funds from the Special Income Tax Fund and transfer said funds into the Voted 1999 Blind School Renovation Fund; and

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to both appropriate said funds from the Special Income Tax Fund and transfer said funds into the Voted 1999 Blind School Renovation Fund for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the sum of \$3,000.00 be and is hereby appropriated from the unappropriated balance of the Special Income Tax Fund, 430, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2002 to the City Auditor, Department No. 22-01, Object Level One 10, OCA Code 902023, Object Level Three 5502.

Section 2. That the City Auditor is hereby authorized to transfer said funds to the Voted 1999 Blind School Renovation Fund at such time as is deemed necessary by the City Auditor, and to expend said funds, or so much thereof as may be necessary.

Section 3. That the amount of \$3,000.00 is hereby appropriated to the Voted 1999 Blind School Renovation Fund No. 706 for the Health Department, Dept./Div. No. 50-01, Object Level One 06, Project 570053, OCA 597013.

Section 4. That the Director of Finance is hereby authorized and directed to enter into contract for the purchase of storage units at the Ohio Blind School Renovation Building Project.

Section 5. That the expenditure of \$3,000.00 is hereby authorized from the Ohio Blind School Renovation Fund, Fund No. 706, Project No. 570053, Department of Health, Division No. 50, Object Level One 06, Object Level Three 6620, OCA No. 597013.

Section 6. The City Auditor is authorized to establish proper accounting project numbers.

Section 7. That upon obtaining other funds for the Blind School Renovation project, the City Auditor is hereby authorized to repay the Special Income Tax Fund the amount transferred under Section 2 above, and said funds are hereby deemed appropriated for such purpose.

Section 8. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modification associated with expenditure of the funds transferred in Section 2, above.

Section 9. The City intends that this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations promulgated pursuant to the Internal Revenue Code of 1986, as amended.

Section 10. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0526-02

To authorize the Director of the Department of Development to modify an Emergency Repair Program contract with Gable Elevator and Lift; and to declare an emergency.

WHEREAS, the Director of the Department of Development desires to modify Contract DL000377 with Gable Elevator and Lift by extending the length of the contract; and

WHEREAS, Gable Elevator and Lift performs emergency accessibility lift repair services under this contract for the Emergency Repair Program; and

WHEREAS, this modification will allow for the provision of additional emergency accessibility lift repair services; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, Housing Division, in that it is immediately necessary to modify the contract with Gable Elevator and Lift, in order to preserve the public peace, health, safety, and welfare; and now, therefore, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Director of the Department of Development is hereby authorized to modify Contract DL000377 with Gable Elevator and Lift by extending the length of the contract to December 31, 2002.

Section 2. That this modification is made pursuant to Section 329.13 of the Columbus City Code.

Section 3. That in the reasons stated in the preamble hereto, which is hereby made a part thereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0527-02

To authorize the Director of the Department of Development to modify an Emergency Repair Program contract with Toole Electric; and to declare an emergency.

WHEREAS, the Director of the Department of Development desires to modify Contract DL000289 with Toole Electric by extending the length of the contract; and

WHEREAS, Toole Electric performs emergency electrical repair services under this contract for the Emergency Repair Program; and

WHEREAS, this modification will allow for the provision of additional emergency electrical repair services; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, Housing Division, in that it is immediately necessary to modify the contract with Toole Electric, in order to preserve the public peace, health, safety, and welfare; and now, therefore, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Director of the Department of Development is hereby authorized to modify Contract DL000289 with Toole Electric by extending the length of the contract to December 31, 2002.

Section 2. That this modification is made pursuant to Section 329.13 of the Columbus City Code.

Section 3. That in the reasons stated in the preamble hereto, which is hereby made a part thereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0528-02

To authorize the Director of the Department of Development to modify an Emergency Repair Program contract for heating repairs with ABC Gas Repair; and to declare an emergency.

WHEREAS, the Director of the Department of Development desires to modify Contract DL003066 with ABC Gas Repair by extending the length of the contract; and

WHEREAS, ABC Gas Repair performs emergency heating repair services under this contract for the Emergency Repair Program; and

WHEREAS, this modification will allow for the provision of additional emergency heating repair services; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, Housing Division, in that it is immediately necessary to modify the contract with ABC Gas Repair, in order to preserve the public peace, health, safety, and welfare; and now, therefore
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Director of the Department of Development is hereby authorized to modify Contract DL003066 with ABC Gas Repair by extending the length of the contract to December 31, 2002.

Section 2. That this modification is made pursuant to Section 329.13 of the Columbus City Code.

Section 3. That in the reasons stated in the preamble hereto, which is hereby made a part thereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0529-02

To authorize the Director of the Department of Development to modify an Emergency Repair Program contract for plumbing repairs with ABC Gas Repair; and to declare an emergency.

WHEREAS, the Director of the Department of Development desires to modify Contract DL001612 with ABC Gas Repair by extending the length of the contract; and

WHEREAS, ABC Gas Repair performs emergency plumbing repair services under this contract for the Emergency Repair Program; and

WHEREAS, this modification will allow for the provision of additional emergency plumbing repair services; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, Housing Division, in that it is immediately necessary to modify the contract with ABC Gas Repair, in order to preserve the public peace, health, safety, and welfare; and now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Director of the Department of Development is hereby authorized to modify Contract DL001612 with ABC Gas Repair by extending the length of the contract to December 31, 2002.

Section 2. That this modification is made pursuant to Section 329.13 of the Columbus City Code.

Section 3. That in the reasons stated in the preamble hereto, which is hereby made a part thereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0530-02

To authorize the Director of the Department of Development to modify a HOME Fund contract with Columbus Neighborhood Housing Services by extending the contract period to June 30, 2002; and to declare an emergency.

WHEREAS, the Director of the Department of Development desires to modify Contract DL001894 with the Columbus Neighborhood Housing Services by extending the contract period to June 30, 2002; and

WHEREAS, the Columbus Neighborhood Housing Services will complete the restructuring of its board, assets and operating funds; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to modify the aforementioned contract, thereby preserving the public peace, health, safety, and welfare; and now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Director of the Department of Development is hereby authorized to modify Contract DL001894 with the Columbus Neighborhood Housing Services by extending the contract period to June 30, 2002.

Section 2. That this modification is made pursuant to Section 329.13 of the Columbus City Code.

Section 3. That in the reasons stated in the preamble hereto, which is hereby made a part thereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0531-02

To authorize the Director of the Department of Development to modify a Community Development Block Grant Fund contract with Columbus Neighborhood Housing Services by extending the contract period to June 30, 2002; and to declare an emergency.

WHEREAS, the Director of the Department of Development desires to modify Contract DL002169 with the Columbus Neighborhood Housing Services by extending the contract period to June 30, 2002; and

WHEREAS, the Columbus Neighborhood Housing Services will complete the restructuring of its board, assets and operating funds; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to modify the aforementioned contract, thereby preserving the public peace, health, safety, and welfare; and now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Director of the Department of Development is hereby authorized to modify Contract DL002169 with the Columbus Neighborhood Housing Services by extending the contract period to June 30, 2002.

Section 2. That this modification is made pursuant to Section 329.13 of the Columbus City Code.

Section 3. That in the reasons stated in the preamble hereto, which is hereby made a part thereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0532-02

To authorize the Board of Health to accept a grant from the Columbus Medical Association Foundation in the amount of \$75,000; to authorize the appropriation of \$75,000 from the unappropriated balance of the Health Department Private Grants Fund, and to declare an emergency. (\$75,000)

WHEREAS, \$75,000 in grant funds have been made available from the Columbus Medical Association Foundation for Project L.O.V.E.; and,

WHEREAS, this ordinance is submitted as an emergency to allow the financial transaction to be posted in the City's accounting system as soon as possible. Up to date financial posting promotes accurate accounting and financial management; and,

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to accept this grant from the Columbus Medical Association Foundation and to appropriate these funds to the Health Department for the immediate preservation of the public health, peace property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Board of Health is hereby authorized and directed to accept the grant award totaling \$75,000 from the Columbus Medical Association Foundation for Project L.O.V.E. for the period March 1, 2002 through March 31, 2003.

Section 2. That from the unappropriated monies in the Health Department Private Grants Fund, Fund No. 291, and from all monies estimated to come into said Fund from any and all sources during the twelve months ending December 31, 2002, the sum of \$75,000 is hereby appropriated to the Health Department, Division No. 50-01 as follows:

Grant No.	OCA	Object Level One	Amount	Description
508251	505594	03	\$75,000	Services

Section 3. That the monies appropriated in the foregoing Section 2 shall be paid upon the order of the Health Commission, and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

Section 4. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0536-02

To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary the Fifth Avenue Neighborhood Commercial Revitalization Project, to authorize the expenditure of \$6,020.00 from the Voted 1995, Voted 1999 Streets and Highways Fund, and to declare an emergency. (\$6,020.00)

WHEREAS, the City of Columbus, Ohio, a municipal corporation, is engaged in the acquisition of certain real property interests for the Fifth Avenue Neighborhood Commercial Revitalization Project; and

WHEREAS, the Council of the City of Columbus, Ohio, adopted Resolution No. 169X-01, on the 26th day of November, 2001, declaring the necessity and intent to appropriate the real property interests hereinafter described and the purpose of the appropriation, and notice of such adoption of said resolution has been served in accordance with Columbus City Code Sec. 909.03; and,

WHEREAS, an emergency exists in the usual daily operation of the Voted 1995, Voted 1999 Streets and Highways Fund, in that it is necessary to appropriate such real property interests so that there will be no delay in the aforementioned project, and for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That fee simple title and lesser interests in and to the following described real property, be appropriated for the public purpose of the Fifth Avenue Neighborhood Commercial Revitalization Project, # 530010 (fka 530058), pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909:

PARCEL 4WD

Situated in the State of Ohio, County of Franklin, City of Columbus and being more particularly described as follows:

Being part of Lot 1, part of Lot 3 and part of Lot 4, as the same are numbered and delineated upon the recorded plat of North Bexley View No. 2 Addition, of record in Plat Book 17, Pages 56 and 57, Recorder's Office, Franklin County, Ohio;

Beginning at the point of intersection of the southerly right-of-way line of East Fifth Avenue, sixty feet (60.00) in width and the westerly right-of-way line of Cassady Avenue, sixty feet (60.00) in width, the same being the northeasterly corner of said Lot 1 and being 30.00 feet right of Centerline Station 4+32.81 of the Centerline Survey Plat Fifth Avenue, of record in Plat Book ____ Page ____, Recorder's Office, Franklin County, Ohio;

Thence S 5° 01' 15" W, with the westerly right-of-way line of said Cassady Avenue, a distance of 9.89 feet to a point at 39.85 feet right of Centerline Station 4+31.95;

Thence S 89° 57' 27" W, a distance of 21.43 feet to a point at 39.84 feet right of Centerline Station 4+10.51, said point being designated as Point A for future descriptive use within this instrument;

Thence N 45° 00' 00" W, a distance of 8.97 feet to a point at 33.50 feet right of Centerline Station 4+04.18;

Thence WEST, a distance of 161.22 feet to a point at 33.50 feet right of Centerline Station 2+42.96;

Thence N 88° 16' 35" W, a distance of 3.59 feet to a point at 33.39 feet right of Centerline Station 2+39.37;

Thence N 0° 10' 21" E, parallel with and 7.44 feet easterly from, as measured at right angles, the westerly line of said Lot 4, a distance of 3.39 feet to a point in the southerly right-of-way line of said East Fifth Avenue, the same being in the northerly line of said Lot 4 and being 30.00 feet right of Centerline Station 2+39.38;

Thence EAST, with the southerly right-of-way line of said East Fifth Avenue and with the northerly line of said Lots 4, 3 and 1, a distance of 193.43 feet to the point of beginning and containing 834 square feet of land, more or less.

PARCEL 4T

Beginning at Point A as the same is designated in the foregoing description of PARCEL 4WD;
 Thence S 89° 57' 27" W, a distance of 78.22 feet to a point at 39.78 feet right of Centerline Station 3+32.30;
 Thence N 89° 39' 28" W, a distance of 53.54 feet to a point at 39.46 feet right of Centerline Station 2+78.76;
 Thence S 89° 03' 09" W, a distance of 39.41 feet to a point at 40.11 feet right of Centerline Station 2+39.35;
 Thence N 0° 10' 21" E, parallel with and 7.44 feet easterly from, as measured at right angles, the westerly line of said Lot 4, a distance of 6.72 feet to a point at 33.39 feet right of Centerline Station 2+39.37;
 Thence S 88° 16' 35" E, a distance of 3.59 feet to a point at 33.50 feet right of Centerline Station 2+42.96;
 Thence EAST, a distance of 161.22 feet to a point at 33.50 feet right of Centerline Station 4+04.18;
 Thence S 45° 00' 00" E, a distance of 8.97 feet to the point of beginning and containing 1049 square feet of land, more or less.
 The bearings given in the foregoing description are based upon the bearing of EAST as given for the centerline of East Fifth Avenue west of Cassady Avenue as shown on the Centerline Survey Plat East Fifth Avenue on file with the City of Columbus, Ohio.

As shown on the Centerline Survey Plat East Fifth Avenue, the following symbol -o- indicates a ¼-inch (I.D.) iron pipe, or other appropriate survey marker, to be placed upon completion of the construction necessary to the improvements herein provided for at the point of intersection of the right-of-way line of East Fifth Avenue and the intersecting streets and alleys from the easterly right-of-way line of Dawson Avenue to the westerly right-of-way line of Gould Road as directed by the City of Columbus Department of Engineering.

The foregoing description is based on a survey conducted by Bauer, Davidson & Merchant, Inc. for the City of Columbus in 1997, Jimmie L. Davis, Professional Surveyor No. 6942.

Grantor claims title by Instrument of record in Instrument No. 2000004130072214, Recorder's Office, Franklin County, Ohio.

Section 2. That fee simple title and lesser interests in and to the following described real property, be appropriated for the public purpose of the Fifth Avenue Neighborhood Commercial Revitalization Project, # 530010 (fka 530058), pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909:

PARCEL 5T

Situated in the State of Ohio, County of Franklin, City of Columbus and being more particularly described as follows:

Being a part of Lot Number 4, as the same is numbered and delineated upon the recorded plat of North Bexley View Addition No. 3, of record in Plat Book 17, Pages 58 and 59, Recorder's Office, Franklin County, Ohio;

Beginning, for reference, at the point of intersection of the northerly right-of-way line of East Fifth Avenue, sixty feet in width, and the easterly right-of-way line of Dawson Avenue, fifty feet in width, the same being the southwesterly corner of said Lot No. 4 and being 30.00 feet left of Centerline Station 0+91.43 of the Centerline Survey Plat Fifth Avenue, of record in Plat Book ____, Page ____, Recorder's Office, Franklin County, Ohio; thence EAST, with the northerly right-of-way line of said East Fifth Avenue and with the southerly line of said Lot No. 4, a distance of 6.75 feet to the true point of beginning at 30.00 feet left of Centerline Station 0+98.18;

Thence, from said true point of beginning, NORTH, a distance of 12.14 feet to a point at 42.14 feet left of Centerline Station 0+98.18;

Thence EAST, a distance of 13.00 feet to a point at 42.14 feet left of Centerline Station 1+11.18;

Thence SOUTH, a distance of 12.14 feet to a point in the northerly right-of-way line of said East Fifth Avenue, the same being in the southerly line of said Lot No. 4 and being 30.00 feet left of Centerline Station 1+11.18;

Thence WEST, with the northerly right-of-way line of said East Fifth Avenue and with the southerly line of said Lot No. 4, a distance of 13.00 feet to the true point of beginning and containing 158 square feet of land, more or less.

The bearings given in the foregoing description are based upon the bearing of EAST as given for the centerline of East Fifth Avenue west of Cassady Avenue as shown on the Centerline Survey Plat Fifth Avenue on file with the City of Columbus, Ohio.

The foregoing description is based on a survey conducted by Bauer, Davidson & Merchant, Inc. for the City of Columbus in 1997, Jimmie L. Davis, Professional Surveyor No. 6942.

Grantor claims title by Instrument of record in Official Record 06751J13, Recorder's Office, Franklin County, Ohio.

Section 3. That fee simple title and lesser interests in and to the following described real property, be appropriated for the public purpose of the Fifth Avenue Neighborhood Commercial Revitalization Project, # 530010 (fka 530058), pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909:

PARCEL 10WD

Situated in the State of Ohio, County of Franklin, City of Columbus and being more particularly described as follows:

Being part of Lot Number I as the same is numbered and delineated upon the recorded plat of Patrick H. Cassady's Parcels, of record in Plat Book 9, Page 288, Recorder's Office, Franklin County, Ohio;

Beginning at the point of intersection of the southerly right-of-way line of East Fifth Avenue, sixty feet in width, and the easterly right-of-way line of Cassady Avenue, sixty feet in width, the same being the northwesterly corner of said Lot I and being 30.00 feet right of Centerline Station 4+92.08 of the Centerline Survey Plat Fifth Avenue, of record in Plat Book ____, Page ____, Recorder's Office, Franklin County, Ohio;

Thence N 88° 00' 05" E, with the southerly right-of-way line of said East Fifth Avenue and with the northerly line of said Lot I, a distance of 37.31 feet to a point at the northeasterly corner of said Lot I, at 30.00 feet right of Centerline Station 5+29.39;

Thence S 1° 44' 55" E, with the easterly line of said Lot I, a distance of 3.50 feet to a point at 33.50 feet right of Centerline Survey 5+29.38;

Thence S 88° 00' 05" W, a distance of 9.95 feet to a point at 33.50 feet right of Centerline Station 5+19.43;

Thence S 48° 57' 01" W, a distance of 3.97 feet to a point at 36.00 feet right of Centerline Station 5+16.34;

Thence S 88° 00' 05" W, a distance of 8.89 feet to a point at 36.00 feet right of Centerline Station 5+07.45;

Thence S 48° 57' 01" W, a distance of 23.05 feet to a point in the easterly right-of-way line of said Cassady Avenue, the same being in the westerly line of said Lot I at 50.52 feet right of Centerline Station 4+89.55;

Thence N 5° 00' 15" E, with the easterly right-of-way line of said Cassady Avenue and with the westerly line of said Lot I, a distance of 20.67 feet to the point of beginning and containing 314 square feet of land, more or less.

The bearings given in the foregoing description are based upon the bearing of N 88° 00' 05" E as given for the centerline of East Fifth Avenue east of Cassady Avenue as shown on the Centerline Survey Plat East Fifth Avenue on file with the City of Columbus, Ohio.

As shown on the Centerline Survey Plat East Fifth Avenue, the following symbol -o- indicates a ¼-inch (I.D.) iron pipe, or other appropriate survey marker, to be placed upon completion of the construction necessary to the improvements herein provided for at the point of intersection of the right-of-way line of East Fifth Avenue and the intersecting streets and alleys from the easterly right-of-way line of Dawson Avenue to the westerly right-of-way line of Gould Road as directed by the City of Columbus Department of Engineering.

The foregoing description is based on a survey conducted by Bauer, Davidson & Merchant, Inc. for the City of Columbus in 1997, Jimmie L. Davis, Professional Surveyor No. 6942;

Grantor claims title by Instrument of record in Official Record 34649B04, Recorder's Office, Franklin County, Ohio.

PARCEL 11WD

Situated in the State of Ohio, County of Franklin, City of Columbus and being more particularly described as follows:

Being part of Lot Number 2 as the same is numbered and delineated upon the recorded plat of Patrick H. Cassady's Parcels, of record in Plat Book 9, Page 288, Recorder's Office, Franklin County, Ohio;

Beginning at a point in the southerly right-of-way line of East Fifth Avenue at the northwesterly corner of said Lot 2 and being 30.00 feet right of Centerline Station 5+29.40 of the Centerline Survey Plat Fifth Avenue, of record in Plat Book ____, Page ____, Recorder's Office, Franklin County, Ohio;

Thence N 88° 00' 05" E, with the southerly right-of-way line of said East Fifth Avenue and with the northerly line of said Lot 2, a distance of 32.01 feet to the northeasterly corner of said Lot 2 at 30.00 feet right of Centerline Station 5+61.41;

Thence S 1° 44' 55" E, with the easterly line of said Lot 2, a distance of 3.50 feet to a point at 33.50 feet right of Centerline Station 5+61.39;

Thence S 88° 00' 05" W, a distance of 32.01 feet to a point in the westerly line of said Lot 2 at 33.50 feet right of Centerline Station 5+29.38;

Thence N 1° 44' 55" W, with the westerly line of said Lot 2, a distance of 3.50 feet to the point of beginning and containing 112 square feet of land, more or less.

The bearings given in the foregoing description are based upon the bearing of N 88° 00' 05" E as given for the centerline of East Fifth Avenue east of Cassady Avenue as shown on the Centerline Survey Plat East Fifth Avenue on file with the City of Columbus, Ohio.

As shown on the Centerline Survey Plat East Fifth Avenue, the following symbol -o- indicates a y4-inch (I.D.) iron pipe, or other appropriate survey marker, to be placed upon completion of the construction necessary to the improvements herein provided for at the point of intersection of the right-of-way line of East Fifth Avenue and the intersecting streets and alleys from the easterly right-of-way line of Dawson Avenue to the westerly right-of-way line of Gould Road as directed by the City of Columbus Department of Engineering.

The foregoing description is based on a survey conducted by Bauer, Davidson & Merchant, Inc. for the City of Columbus in 1997. Jimmie L. Davis, Professional Surveyor No. 6942.

Grantor claims title by Instrument of record in Official Record 34649B01, Recorder's Office, Franklin County, Ohio.

Section 4. That fee simple title and lesser interests in and to the following described real property, be appropriated for the public purpose of the Fifth Avenue Neighborhood Commercial Revitalization Project, # 530010 (fka 530058), pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909:

PARCEL 47WD

Situated in the State of Ohio, County of Franklin, City of Columbus and being more particularly described as follows:

Being part of Lot Numbered 283 as the same is numbered and delineated upon the recorded plat of Cassady Fifth Avenue Addition, of record in Plat Book 5, Pages 314 through 318, Recorder's Office, Franklin County, Ohio;

Beginning at the point of intersection of the southerly right-of-way line of East Fifth Avenue, sixty feet in width, and Rarig Avenue, fifty feet in width, the same being 30.00 feet right of Centerline Station 26+09.73 of the Centerline Survey Plat Fifth Avenue, of record in Plat Book ____, Page ____, Recorder's Office, Franklin County, Ohio;

Thence S 1° 50' 05" E, with the westerly right-of-way line of said Rarig Avenue and with the easterly line of said Lot 283, a distance of 4.12 feet to a point at 34.12 feet right of Centerline Station 26+09.72;

Thence N 69° 27' 41" W, a distance of 10.75 feet to a point in the southerly right-of-way line of said East Fifth Avenue, the same being in the northerly line of said Lot 283 at 30.00 feet right of Centerline Station 25+99.79;

Thence N 88° 00' 05" E, with the southerly right-of-way line of said East Fifth Avenue and with the northerly line of said Lot 283, a distance of 9.94 feet to the point of beginning and containing 20 square feet of land, more or less.

The bearings given in the foregoing description are based upon the bearing of N 88° 00' 05" E as given for the centerline of East Fifth Avenue east of Cassady Avenue as shown on the Centerline Survey Plat East Fifth Avenue on file with the City of Columbus, Ohio.

As shown on the Centerline Survey Plat East Fifth Avenue the following symbol -o- indicates a VA inch (I.D.) iron pipe, or other appropriate survey marker, to be placed upon completion of the construction necessary to the improvements herein provided for at the points of intersection of the right-of-way lines of East Fifth Avenue and the intersecting streets and alleys from the easterly right-of-way line of Dawson Avenue to the westerly right-of-way line of Gould Road as directed by the City of Columbus Department of Engineering.

The foregoing description is based on a survey conducted by Bauer, Davidson & Merchant, Inc., for the City of Columbus in 1997. Jimmie L. Davis, Professional Survey No. 6942.

Grantor claims title by Instrument of record in Official Record 27488J20, Recorder's Office, Franklin County, Ohio.

Section 5. That fee simple title and lesser interests in and to the following described real property, be appropriated for the public purpose of the Fifth Avenue Neighborhood Commercial Revitalization Project, # 530010 (fka 530058), pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909:

PARCEL 42T

Situated in the State of Ohio, County of Franklin, City of Columbus and being more particularly described as follows:

Being part of Lot Numbered 268 as the same is numbered and delineated upon the recorded plat of Cassady Fifth Avenue Addition, of record in Plat Book 5, Pages 314 through 318, both numbers inclusive. Recorder's Office, Franklin County, Ohio;

Beginning, for reference, at a point in the southerly right-of-way line of East Fifth Avenue at the northwesterly corner of said Lot 268 and being 30.00 feet right of Centerline Station 20+81.75 of the Centerline Survey Plat Fifth Avenue, of record in Plat Book ____, Page ____, Recorder's Office, Franklin County, Ohio; thence N 88° 00' 05" E, with the southerly right-of-way line of said East Fifth Avenue and with the northerly line of said Lot 268, a distance of 28.25 feet to the true point of beginning at 30.00 feet right of Centerline Station 21+10.00;

Thence, from said true point of beginning, N88° 00' 05" E, with the southerly right-of-way line of said East Fifth Avenue and with the northerly line of said Lot 268, a distance of 4.75 feet to the northwesterly corner of said Lot 268 at 30.00 feet right of Centerline Station 21+14.75;

Thence S 1° 52' 20" E, with the easterly line of said Lot 268, a distance of 10.00 feet to a point at 40.00 feet right of Centerline Station 21+14.73;

Thence S 88° 00' 05" W, a distance of 4.73 feet to a point at 40.00 feet right of Centerline Station 21+10.00;

Thence N 1° 59' 55" W, a distance of 10.00 feet to the true point of beginning and containing 47 square feet of land, more or less.

The bearings given in the foregoing description are based upon the bearing of N 88° 00' 05" E as given for the centerline of East Fifth Avenue east of Cassady Avenue as shown on the Centerline Survey Plat Fifth Avenue on file with the City of Columbus, Ohio.

The foregoing description is based on a survey conducted by Bauer, Davidson & Merchant, Inc., for the City of Columbus in 1997. Jimmie L. Davis, Professional Survey No. 6942.

Grantor claims title by Instrument of record in Deed Book 1639, Page 223, Recorder's Office, Franklin County, Ohio.

PARCEL 43T (AREA NO. 1)

Situated in the State of Ohio, County of Franklin, City of Columbus and being more particularly described as follows:

Being part of Lots Numbered 269, 270 and 271, as the same are numbered and delineated upon the recorded plat of Cassady Fifth Avenue Addition, of record in Plat Book 5, Pages 314 through 318, both numbers inclusive, Recorder's Office, Franklin County, Ohio;

Beginning at a point in the southerly right-of-way line of East Fifth Avenue at the northwesterly corner of said Lot 269 and being 30.00 feet right of Centerline Station 21+14.75 of the Centerline Survey Plat Fifth Avenue, of record in Plat Book ___, Page ___, Recorder's Office, Franklin County, Ohio;

Thence N 88° 00' 05" E., with the Southerly right-of-way line of said East Fifth Avenue and with the northerly line of said Lot 269, a distance of 25.25 feet to a point at 30.00 feet right of Centerline Station 21+40.00;

Thence S 1° 59' 55" E, a distance of 10.00 feet to a point at 40.00 feet right of Centerline Station 21+40.00;

Thence S 88° 00' 05" W, a distance of 25.27 feet to a point in the westerly line of said Lot 269 at 40.00 feet right of Centerline Station 21+14.73;

Thence N 1° 52' 20" W, with the westerly line of said lot 269, a distance of 10.00 feet to the true point of beginning and containing 252 square feet of land, more or less.

PARCEL 43T (AREA NO. 2)

Beginning, for reference, the reference point of beginning of the hereinabove described AREA NO. 1;

Thence N 88° 00' 05" E, with the southerly right-of-way line of said East Fifth Avenue and with the southerly line of said Lots 269 and 270, a distance of 50.25 feet to the true point of beginning of said AREA NO. 2 at 30.00 feet right of Centerline Station 21+65.00;

Thence, from the true point of beginning of said AREA NO. 2, N 88° 00' 05" E, with the southerly right-of-way line of said East Fifth Avenue and with the northerly line of said Lots 270 and 271, a distance of 30.00 feet to a point at 30.00 feet right of Centerline Station 21+95.00;

Thence S 1° 59' 55" E, a distance of 10.00 feet to a point at 40.00 feet right of Centerline Station 21+95.00;

Thence S 88° 00' 05" W, a distance of 30.00 feet to a point at 40.00 feet right of Centerline Station 21 +65.00;

Thence N 1° 59' 55" W, a distance of 10.00 feet to the true point of beginning and containing 300 square feet of land, more or less.

The bearings given in the foregoing descriptions are based upon the bearing of N 88° 00' 05" E as given for the centerline of East Fifth Avenue east of Cassady Avenue as shown on the Centerline Survey Plat East Fifth Avenue on file with the City of Columbus, Ohio.

The foregoing descriptions are based on a survey conducted by Bauer, Davidson & Merchant, Inc., for the City of Columbus in 1997. Jimmie L. Davis, Professional Survey No. 6942.

Grantor claims title by Instrument of record in Deed Book 1656, Page 570, Recorder's Office, Franklin County, Ohio.

Section 6. That fee simple title and lesser interests in and to the following described real property, be appropriated for the public purpose of the Fifth Avenue Neighborhood Commercial Revitalization Project, # 530010 (fka 530058), pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909:

PARCEL 56T (AREA NO. 1)

Situated in the State of Ohio, County of Franklin, City of Columbus and being more particularly described as follows:

Being part of Lots Numbered 289, 290 and 291 as the same are numbered and delineated upon the recorded plat of Cassady Fifth Avenue Addition, of record in Plat Book 5, Pages 314 through 318, both numbers inclusive, Recorder's Office, Franklin County, Ohio;

Beginning, for reference, at a point in the southerly right-of-way line of East Fifth Avenue at the northwesterly corner of said Lot 289 and being 30.00 feet right of Centerline Station 28+24.73 of the Centerline Survey Plat Fifth Avenue, of record in Plat Book ___, Page ___, Recorder's Office, Franklin County, Ohio; thence N88° 00' 00" E, with the southerly right-of-way line of said East Fifth Avenue and with the northerly line of said Lot 289, a distance of 2.43 feet to the true point of beginning of said AREA NO. 1 at 30.00 feet right of Centerline Station 28+27.16;

Thence, from the true point of beginning of said AREA NO. 1, N 88° 00' 05" E, with the southerly right-of-way line of said East Fifth Avenue and with the northerly line of said Lot 289, a distance of 15.99 feet to a point at 30.00 feet right of Centerline Station 28+43.15;

Thence S 1° 59' 55" E, a distance of 11.76 feet to a point at 41.76 feet right of Centerline Station 28+43.15;

Thence S 88° 00' 05" W, a distance of 15.99 feet to a point at 41.76 feet right of Centerline Station 28+27.16;

Thence N 1° 59' 55" W, a distance of 11.76 feet to the true point of beginning of said AREA NO. 1 and containing 188 square feet of land, more or less.

PARCEL 56T (AREA NO. 2)

Beginning, for reference, at the referenced point of beginning of the hereinabove described AREA NO. 1; thence N88° 00' 05" E, with the southerly right-of-way line of said East Fifth Avenue and with the northerly line of said Lots 289 and 290, a distance of 61.29 feet to the true point of beginning of said AREA NO. 2 at 30.00 feet right of Centerline Station 28+86.02;

Thence, from the true point of beginning of said AREA NO. 2, N 88° 00' 05" E, with the southerly right-of-way line of said East Fifth Avenue and with the northerly line of said Lots 290 and 291, a distance of 16.06 feet to a point at 30.00 feet right of Centerline Station 29+02.08;

Thence S 1° 59' 55" E, a distance of 17.69 feet to a point at 47.69 feet right of Centerline Station 29+02.08;

Thence S 88° 00' 05" W, a distance of 16.06 feet to a point at 47.69 feet right of Centerline Station 28+86.02;

Thence N 1° 59' 55" W, a distance of 17.69 feet to the true point of beginning of said AREA NO. 2 and containing 284 square feet of land, more or less.

The bearings given in the foregoing descriptions are based upon the bearing of N88° 00' 05" E as given for the centerline of East Fifth Avenue east of Cassady Avenue as shown on the Centerline Survey Plat East Fifth Avenue on file with the City of Columbus, Ohio.

The foregoing descriptions are based upon a survey conducted by Bauer, Davidson & Merchant, Inc. for the City of Columbus in 1997. Jimmie L. Davis, Professional Surveyor No. 6942.

Grantor claims title by Instrument of record in Deed Book 2388, Page 499, Recorder's Office, Franklin County, Ohio.

Section 7. That fee simple title and lesser interests in and to the following described real property, be appropriated for the public purpose of the Fifth Avenue Neighborhood Commercial Revitalization Project, # 530010 (fka 530058), pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909:

PARCEL 57T (AREA NO. 1)

Situated in the State of Ohio, County of Franklin, City of Columbus and being more particularly described as follows:

Being part of Lots Numbered 292, 293, 294, 295 and 296 as the same are numbered and delineated upon the recorded plat of Cassady Fifth Avenue Addition, of record in Plat Book 5, Pages 314 through 318, both numbers inclusive, Recorder's Office, Franklin County, Ohio;

Beginning, for reference, at a point in the southerly right-of-way line of East Fifth Avenue at the northwesterly corner of said Lot 292 and being 30.00 feet right of Centerline Station 29+23.73 of the Centerline Survey Plat Fifth Avenue, of record in Plat Book ___, Page ___, Recorder's Office, Franklin County, Ohio; thence N88° 00' 05" E, with the southerly right-of-way line of said East Fifth Avenue and with the northerly line of said Lot 292, a distance of 15.12 feet to the true point of beginning of said AREA NO. 1 at 30.00 feet right of Centerline Station 29+38.85;

Thence, from the true point of beginning of said AREA NO. 1, N 88° 00' 05" E, with the southerly right-of-way line of said East Fifth Avenue and with the northerly line of said Lots 292 and 293, a distance of 26.00 feet to a point at 30.00 feet right of Centerline Station 29+64.85;

Thence S 1° 59' 55" E, a distance of 10.00 feet to a point at 40.00 feet right of Centerline Station 29+64.85;

Thence S 88° 00' 05" W, a distance of 26.00 feet to a point at 40.00 feet right of Centerline Station 29+38.85;
 Thence N 1° 59' 55" W, a distance of 10.00 feet to the true point of beginning of said AREA NO. 1 and containing 260 square feet of land;
 more or less.

PARCEL 57T (AREA NO. 2)

Beginning, for reference, at the referenced point of beginning of the hereinabove described AREA NO. 1; thence N88° 00' 05" E, with the southerly right-of-way line of said East Fifth Avenue and with the northerly line of said Lots 292, 293 and 294, a distance of 67.18 feet to the true point of beginning of said AREA NO. 2 at 30.00 feet right of Centerline Station 29+90.91;

Thence, from the true point of beginning of said AREA NO. 2, N 88° 00' 05" E, with the southerly right-of-way line of said East Fifth Avenue and with the northerly line of said Lot 294, a distance of 24.00 feet to a point at 30.00 feet right of Centerline Station 30+14.91;

Thence S 1° 59' 55" E, a distance of 10.00 feet to a point at 40.00 feet right of Centerline Station 30+14.91;

Thence S 88° 00' 05" W, a distance of 24.00 feet to a point at 40.00 feet right of Centerline Station 29+90.91;

Thence N 1° 59' 55" W, a distance of 10.00 feet to the true point of beginning of said AREA NO. 2 and containing 240 square feet of land,
 more or less.

PARCEL 57T (AREA NO. 3)

Beginning, for reference, at the referenced point of beginning of the hereinabove described AREA NO. 2; thence N 88° 00' 05" E, with the southerly right-of-way line of said East Fifth Avenue and with the northerly line of said Lots 292, 293 and 294, a distance of 126.27 feet to the true point of beginning of said AREA NO. 3 at 30.00 feet right of Centerline Station 30+50.00;

Thence, from the true point of beginning of said AREA NO. 3, N 88° 00' 05" E, with the southerly right-of-way line of said East Fifth Avenue and with the northerly line of said Lot 295 and 296, a distance of 24.00 feet to a point at 30.00 feet right of Centerline Station 30+74.00;

Thence S 1° 59' 55" E, a distance of 10.00 feet to a point at 40.00 feet right of Centerline Station 30+74.00;

Thence S 88° 00' 05" W, a distance of 24.00 feet to a point at 40.00 feet right of Centerline Station 30+50.00;

Thence N 1° 59' 55" W, a distance of 10.00 feet to the true point of beginning of said AREA NO. 3 and containing 240 square feet of land,
 more or less.

The bearings given in the foregoing descriptions are based upon the bearing of N 88° 00' 05" E as given for the centerline of East Fifth Avenue east of Cassady Avenue as shown on the Centerline Survey Plat East Fifth Avenue on file with the City of Columbus, Ohio.

The foregoing descriptions are based upon a survey conducted by Bauer, Davidson & Merchant, Inc. for the City of Columbus in 1997.
 Jimmie L. Davis, Professional Surveyor No. 6942.

Grantor claims title by Instrument of record in Official Record 03799J20, Recorder's Office, Franklin County, Ohio.

Section 8. That fee simple title and lesser interests in and to the following described real property, be appropriated for the public purpose of the Fifth Avenue Neighborhood Commercial Revitalization Project, # 530010 (fka 530058), pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909:

PARCEL 58 WD

Situated in the State of Ohio, County of Franklin, City of Columbus and being more particularly described as follows:

Being part of Lots Numbered 219 and 220 as the same are numbered and delineated upon the recorded plat of Cassady Fifth Avenue Addition, of record in Plat Book 5, Pages 314 through 318, both numbers inclusive. Recorder's Office, Franklin County, Ohio;

Beginning at the point of intersection of the northerly right-of-way line of East Fifth Avenue, sixty feet in width, and the easterly right-of-way line of Rarig Avenue, fifty feet in width, the same being the southwesterly corner of said Lot 220 and being 30.00 feet left of Centerline Station 26+59.90 of the Centerline Survey Plat Fifth Avenue, of record in Deed Book ____, Page ____, Recorder's Office, Franklin County, Ohio;

Thence N 1° 50' 05" W, with the easterly right-of-way line of said Rarig Avenue and with the westerly line of said Lot 220, a distance of 7.42 feet to a point at 37.42 feet left of Centerline Station 26+59.92;

Thence S 46° 59' 38" E, crossing a part of said Lot 220, a distance of 10.49 feet to a point in the northerly right-of-way line of said East Fifth Avenue, the same being in the southerly line of said lot 220 at 30.00 feet left of Centerline Station 26+67.34;

Thence S 88° 00' 05" W, with the northerly right-of-way line of said East Fifth Avenue and with the southerly line of said Lot 220, a distance of 7.44 feet to the point of beginning and containing 28 square feet of land, more or less.

PARCEL 58T

Beginning, for reference, at the point of beginning of the hereinabove described PARCEL 58 WD; thence N88° 00' 05" E, with the northerly right-of-way line of said East Fifth Avenue and with the southerly line of said Lot 220, a distance of 28.07 feet to the true point of beginning at 30.00 feet left of Centerline Station 26+87.97;

Thence, from said true point of beginning, N 1° 59' 55" W, a distance of 10.00 feet to a point at 40.00 feet right of Centerline Station 26+87.97;

Thence N 88° 00' 05" E, a distance of 24.00 feet to a point at 40.00 feet left of Centerline Station 27+11.97;

Thence S 1° 59' 55" E, a distance of 10.00 feet to a point in the northerly right-of-way line of said East Fifth Avenue, the same being in the southerly line of said Lot 219 at 30.00 feet left of Centerline Station 27+11.97;

Thence S 88° 00' 05" W, with the northerly right-of-way line of said East Fifth Avenue and with the southerly line of said Lots 219 and 220, a distance of 24.00 feet to the true point of beginning and containing 240 square feet of land, more or less.

The bearings given in the foregoing descriptions are based upon the bearing of N88° 00' 05" E as given for the centerline of East Fifth Avenue east of Cassady Avenue as shown on the Centerline Survey Plat East Fifth Avenue on file with the City of Columbus, Ohio.

As shown on the Centerline Survey Plat East Fifth Avenue the following symbol -0- indicates a 3/4-inch (I.D.) iron pipe, or other appropriate survey marker, to be placed upon completion of the construction necessary to the improvements herein provided for at the points of intersection of the right-of-way lines of East Fifth Avenue and the intersecting streets and alleys from the easterly right-of-way line of Dawson Avenue to the westerly right-of-way line of Gould Road as directed by the City of Columbus Department of Engineering.

The foregoing descriptions are based upon a survey conducted by Bauer, Davidson & Merchant, Inc. for the City of Columbus in 1997.
 Jimmie L. Davis, Professional Surveyor No. 6942.

Grantor claims title by Instrument of record in Official Record 2S784AO I, Recorder's Office, Franklin County, Ohio.

Section 9. That the Council of the City of Columbus, Ohio, declares that the appropriation of said real property interests is necessary for the stated public purpose, and that the City of Columbus, Ohio, has been unable to agree with the owner(s) as to the just compensation to be paid by the City of Columbus, Ohio.

Section 10. That the Council of the City of Columbus hereby declares its intention to obtain immediate possession of the real property interests described herein.

Section 11. That the Council of the City of Columbus hereby fixes the value of said fee simple title and lesser interests as follows:

1.	4WD,T	\$3,745.00
2.	5WD	\$200.00

3.	10WD, 11WD	\$990.00
4.	47WD	\$200.00
5.	42T, 43T-1, 43T-2	\$215.00
6.	56T-1, 56T-2	\$200.00
7.	57T-1, T-2, 57T-3	\$270.00
8.	58WD, T	\$200.00

Section 12. That the City Attorney be and hereby is authorized to file a complaint for appropriation of real property, in a Court of competent jurisdiction, and to have a jury impaneled to make inquiry into and assess the just compensation to be paid for the foregoing described real property interests.

Section 13. That the expenditure of Six Thousand Twenty Dollars (\$6,020.00), or so much thereof as may be necessary, from the Voted 1995, Voted 1999 Streets and Highways Fund, be and hereby is authorized as follows:

Project #	Fund#	Dept./Div.	OCA Code	Object Level Three	AC#	Amount
530010 (fka 530058)	704	59-03	644385	6601	011169	\$6,020.00

Section 14. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0537-02

To authorize the transfer of \$150,000 within the General Fund between objects within the Office of the City Attorney, to authorize the City Attorney to modify the existing contract with Joyce B. Link for legal services in connection with *Lumumba T. McCord v. City of Columbus, Ohio*, U.S. District Court C2-01-624, to waive the competitive bidding provisions of Columbus City Codes, to authorize the expenditure of One Hundred Fifty Thousand Dollars (\$150,000.00), and to declare an emergency. (\$150,000.00)

WHEREAS, funds are available in the City Attorney's transfer character for various legal expenses; and

WHEREAS, the City continues to be involved in litigation with *Lumumba T. McCord v. City of Columbus, Ohio*, now being Case No. C2-01-624; and

WHEREAS, City Attorney Janet Jackson had previously entered into an agreement with special legal counsel Joyce B. Link; and

WHEREAS, the City has a continuing need for representation in such litigation; and

WHEREAS, by reason of all the foregoing an emergency exists in the usual daily operation of the City in the interest of timely defense of such litigation and for such other services and for the further preservation of the public peace, health, safety and welfare; now, therefore, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO:

Section 1. That the City Auditor is hereby authorized and directed to transfer \$150,000 within the General Fund, Sub Fund 01-100, as follows:

From:						
Division	Division No.	Object Level 1	Object Level 3	OCA Code	Amount	
City Attorney	24-01	10	5501	900886	\$150,000.00	
To:						
Division	Division No.	Object Level 1	Object Level 3	OCA Code	Amount	
City Attorney	24-01	03	3324	240580	\$150,000.00	

Section 2. That the City Attorney be, and she is hereby authorized to modify an existing contract with attorney Joyce B. Link for legal consulting services by increasing the maximum contract obligation by One Hundred Fifty Thousand Dollars (\$150,000.00). All other contract terms and conditions shall remain in full force and effect except for the maximum obligation and other provisions hereinafter set forth.

Section 3. That the provisions of Chapter 329 Columbus City Codes relative to the procurement of professional services are hereby waived, such waiver being deemed to be in the best interests of the City for the reason that this is a continuation of an existing contract which requires specialized knowledge and ongoing services in the litigation to which the City is a party.

Section 4. That there is hereby appropriated and authorized to be expended the sum of One Hundred Fifty Thousand Dollars (\$150,000.00) with Joyce B. Link, and the City Auditor is authorized to draw warrants upon the treasury for services thereunder upon receipt of invoices approved by the City Attorney.

Section 5. That for the reasons set forth in the preamble hereto which is hereby incorporated herein by reference, this measure is hereby deemed to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare and the same shall take effect and be in force from and immediately after its passage and signature by the Mayor or within ten (10) days thereafter if the Mayor neither signs nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0538-02

To authorize the transfer of \$22,500 within the General Fund, Department of Development; to authorize the Director of the Department of Development to enter into a contract with MORPC for the inclusion of central Ohio in a statewide study of growth patterns among metropolitan regions; to authorize the expenditure of \$22,500 from the General Fund; and to declare an emergency. (\$22,500.00)

WHEREAS, Central Ohio has a unique opportunity to participate in a comprehensive statewide study of metropolitan growth patterns with an emphasis on social separation, fiscal capacity, and the effects of sprawl — providing insight to such issues as out-migration of population, housing, and jobs; and

WHEREAS, the City of Columbus is substantially impacted by and would benefit from an improved understanding of regional growth dynamics; and

WHEREAS, this work will be coordinated locally by MORPC and performed by Ameregis, a partnership that has undertaken well respected urban policy research throughout the country with an emphasis on the use of Geographic Information System technology; and
WHEREAS, funding for this study is being provided by each region resulting in the generation of GIS maps and analysis specific to each area; and

WHEREAS, local funding is being secured by MORPC from a variety of sources to ensure central Ohio's inclusion; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to authorize the transfer and expenditure of \$22,500 for a contract with the Mid Ohio Regional Planning Commission, thereby preserving the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the City Auditor is hereby authorized and directed to transfer \$22,500 within the Department of Development, General Fund, Fund 010 as follows:

FROM:			
Object Level One	Object Level Three	OCA Code	Amount
10	5501	440334	\$22,500

TO:			
Object Level One	Object Level Three	QCA Code	Amount
03	3336	440334	\$22,500

Section 2. That the Development Director is hereby authorized to enter into contract with the Mid Ohio Regional Planning Commission for the inclusion of central Ohio in a statewide study of growth patterns among metropolitan regions

Section 3. That the expenditure of \$22,500, or so much thereof as may be necessary, from the Department of Development, Planning Division, Division 44-06, General Fund, Fund 010, OCA Code 440334, Object Level One 03, Object Level Three 3336 for the aforesaid purpose is hereby authorized.

Section 4. That this contract is awarded in accordance with Chapter 329.29 of the Columbus City Codes, 1959.

Section 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

RESOLUTIONS**RES NO. 052X-02**

To declare the necessity and intent to appropriate permanent and construction easements in, over, under and through real estate in connection with the Walhalla Ravine Culvert Improvements Project, and to declare an emergency.

WHEREAS, the City of Columbus is engaged in the Walhalla Ravine Culvert Improvements Project; and,

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, in that it is immediately necessary to declare the necessity and intent to appropriate permanent and construction easements in, over, under and through the hereinbefore described real estate necessary for the aforementioned project so that there will be no delay in the project thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That this Council hereby declares the necessity and intent to appropriate permanent and construction easements in, over, under and through the following described real estate necessary for the Walhalla Ravine Culvert Improvements Project, Project #610806, pursuant to and in accordance with the Charter of the City of Columbus, Columbus City Code (1959) Revised, Chapter 909, the Constitution of the State of Ohio and Ohio Revised Code, Chapter 719; to-wit:

PARCEL 2P

Situate in the City of Columbus, County of Franklin, State of Ohio, and being a temporary easement for the construction of a storm sewer over a tract of land conveyed to Four Seas Emporium by deed recorded in OR 1040C06 (all references to deeds, microfiche, plats, surveys, etc. refer to the records of the Franklin County Recorder's Office, unless noted otherwise) and described as follows:

Commencing for reference at the intersection of the east line of N. High Street with the south line of Walhalla Road;

Thence along the south line of said Walhalla Road North seventy-eight degrees eighteen minutes nine seconds East (N 78° 18' 09" E) for one hundred thirty and 00/100 feet (130.00') to the northeast corner of Lot 1 of the Walhalla Park Place as recorded in PB 6 page 16;

Thence leaving the south line of said Walhalla Road along the east line Lot 1 and 2 and the east line of said Four Seas Emporium land South fifteen degrees thirty minutes fifty-two seconds East (S 15° 30' 52" E) for sixty-four and 00/100 feet (64.00') to the TRUE POINT OF BEGINNING;

Thence continuing along the east line of said Lot 2 and the east line of said Four Seas Emporium land South fifteen degrees thirty minutes fifty-two seconds East (S 15° 30' 52" E) for twenty-one and 00/100 feet (21.00') to the southeast corner thereof;

Thence along the south line of said Lot 2 and the south line of said Four Seas Emporium land South seventy-seven degrees thirteen minutes five seconds West (S 77° 13' 05" W) for twenty and 02/100 feet (20.02');

Thence leaving said south line across said lot and said Four Seas Emporium land North fifteen degrees thirty minutes fifty-two seconds West (N 15° 30' 52" W) for twenty and 05/100 feet (20.05');

Thence continuing across lot and said Four Seas Emporium land North seventy-four degrees twenty-nine minutes eight seconds East (N 74° 29' 08" E) for twenty and 00/100 feet (20.00') to the TRUE POINT OF BEGINNING.

This description was prepared from a field survey performed by Woolpert LLP in February, 2001, with bearings based upon Bearings based upon an assumed meridian used to denote angular reference only.

Steven W. Newell, Ohio Professional Surveyor #7212.

PARCEL 4P

Situate in the City of Columbus, County of Franklin, State of Ohio, and being a permanent easement for the construction, operation, and maintenance of a storm sewer over a tract of land conveyed to John and Suzanne Herner by deed recorded in OR 18872G13 (all references to deeds, microfiche, plats, surveys, etc. refer to the records of the Franklin County Recorder's Office, unless noted otherwise) and described as follows:

Commencing for reference at the intersection of the east line of N. High Street with the south line of Walhalla Road;

Thence along the south line of said Walhalla Road North seventy-eight degrees eighteen minutes nine seconds East (N 78° 18' 09" E) for one hundred forty-five and 03/100 feet (145.03') to the northwest corner of Lot 5 of the Walhalla Park Place as recorded in PB 6 page 16, said point also being the northwest corner of said Herner land;

Thence leaving said south line of said Walhalla Road along the west line Lot 5 and Herner land South fifteen degrees thirty minutes fifty-two seconds East (S 15° 30' 52" E) for seventy and 00/100 feet (70.00') to the TRUE POINT OF BEGINNING;

Thence leaving said west line across said Lot 5 and said Herner land North seventy-six degrees fifty-six minutes thirty-one seconds East (N 76° 56' 31" E) for thirty-five and 00/100 feet (35.00');

Thence continuing across said Lot 5 and said Herner land South fifteen degrees thirty minutes fifty-two seconds East (S 15° 30' 52" E) for thirty and 00/100 feet (30.00');

Thence continuing across Lot 5 and said Herner land South seventy-six degrees fifty-six minutes thirty-one seconds West (S 76° 56' 31" W) for thirty-five and 00/100 feet (35.00') to a point on the west line of said Lot 5 and said Herner land;

Thence along said west line North fifteen degrees thirty minutes fifty-two seconds West (N 15° 30' 52" W) for thirty and 00/100 feet (30.00') to the TRUE POINT OF BEGINNING.

This description was prepared from a field survey performed by Woolpert LLP in February, 2001, with bearings based upon Bearings based upon an assumed meridian used to denote angular reference only.

Steven W. Newell, Ohio Professional Surveyor #7212.

Section 2. That the City Attorney be and hereby is authorized to cause a written notice of the adoption of this resolution to be served upon the owners, persons in possession of or persons having a real or possible interest of record in the above described premises in the manner provided by law.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption and approval by the Mayor, or ten days after adoption if the Mayor neither approves nor vetoes the same.

Adopted April 01, 2002 Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk.

RES NO. 053X-02

To declare the necessity and intent to appropriate permanent and construction easements in, over, under and through real estate in connection with the Woodland/ 5th Stormwater Systems Improvement Project, and to declare an emergency.

WHEREAS, the City of Columbus is engaged in the Woodland/5th Stormwater Systems Improvement Project; and,

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, in that it is immediately necessary to declare the necessity and intent to appropriate permanent and construction easements in, over, under and through the hereinbefore described real estate necessary for the aforementioned project so that there will be no delay in the project thereby preserving the public health, peace, property, safety, and welfare; now, therefore,
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That this Council hereby declares the necessity and intent to appropriate permanent and construction easements in, over, under and through the following described real estate necessary for the Woodland/5th Stormwater Systems Improvement Project, Project #610974, pursuant to and in accordance with the Charter of the City of Columbus, Columbus City Code (1959) Revised, Chapter 909, the Constitution of the State of Ohio and Ohio Revised Code, Chapter 719; to-wit:

PARCEL 1P

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Quarter Township 3, Township 1, Range 17, United States Military Lands, and being a strip of land across that tract as conveyed to Thomas I. And Rose Marie Caine by deed of record in Instrument Number 199711140144374, (all references refer to records of the Recorder's Office, Franklin County, Ohio) and being described as follows:

Beginning at Grantor's northeasterly corner, being the intersection of the southerly right-of-way of said Fifth Avenue East with the westerly right-of-way line of Vacated Margaret Place (Ordinance No. 173-99);

Thence South 03° 29' 01" West, with the westerly right-of-way of said Margaret Place, a distance of 115.78 feet to the southeasterly corner of Grantor's tract;

Thence North 86° 30' 59" West, with Grantor's southerly line, a distance of 2.50 feet to a point;

Thence North 03° 29' 01" East, across Grantor's tract, a distance of 102.78 feet to a point;

Thence North 49° 53' 59" West, continuing across Grantor's tract, a distance of 21.74 feet to a point in the southerly right-of-way of said Fifth Avenue;

Thence South 86° 37' 16" East, with said southerly right-of-way line, a distance of 19.95 feet to the True point of Beginning, and containing 0.009 acre of land, more or less.

EVANS, MECHWART, HAMBLETON, & TILTON, INC., Clark E. White, Registered Surveyor No. 7868

PARCEL 1T

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Quarter Township 3, Township 1, Range 17, United States Military Lands, and being a strip of land across that tract as conveyed to Thomas I. And Rose Marie Caine by deed of record in Instrument Number 199711140144374, (all references refer to records of the Recorder's Office, Franklin County, Ohio) and being described as follows:

Beginning at a point in the southerly right-of-way of Fifth Avenue East, being Grantor's northerly line, and being North 86° 37' 16" West, a distance of 19.95 feet from the intersection of the southerly right-of-way of said Fifth Avenue East with the westerly right-of-way line of Vacated Margaret Place (Ordinance No. 1173-99);

Thence South 49° 53' 59" East, across Grantor's tract, a distance of 21.74 feet to a point;

Thence South 03° 29' 01" West, continuing across Grantor's tract, a distance of 102.78 feet to a point in Grantor's southerly line;

Thence North 86° 20' 21" West, with Grantor's southerly line, a distance of 29.99 feet to a point;

Thence North 03° 28' 42" East, across Grantor's tract, a distance of 115.62 feet to a point in the southerly right-of-way of said Fifth Avenue, being Grantor's northerly line;

Thence South 86° 37' 16" East, with said southerly right-of-way line, a distance of 12.55 feet to the True Point of Beginning and containing 0.077 acre of land, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC., Clark E. White, Registered Surveyor No. 7868

PARCEL 13P

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Quarter Township 3, Township 1, Range 17, United States Military Lands, and being a strip of land 20.00 feet in width across that tract as conveyed to Lorri A. Styers by deed of record in Official Record 17240A13, (all references refer to records of the Recorder's Office, Franklin County, Ohio) and being described as follows:

Beginning at Grantor's southeasterly corner, the northeasterly corner of that tract conveyed to Clyde and Vera M. Howell by deeds of record in Official Record 27747A03 and Official Record 27747A05;

Thence North 86° 20' 04" West, with Grantor's southerly line, a distance of 20.00 feet to a point;

Thence North 03° 34' 56" East, across Grantor's tract, a distance of 92.66 feet to a point in Grantor's northerly line;

Thence South 86° 20' 04" East, with said northerly line, a distance of 20.00 feet to Grantor's northeasterly corner;

Thence South 03° 34' 56" West, with Grantor's easterly line, a distance of 92.66 feet to the Point of Beginning and containing 0.043 acre of land, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC., Clark E. White, Registered Surveyor No. 7868

PARCEL 13T

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Quarter Township 3, Township 1, Range 17, United States Military Lands, and being a strip of land 40.00 feet in width across that tract as conveyed to Lorri A. Styers by deed of record in Official Record 17240A13, (all references refer to records of the Recorder's Office, Franklin County, Ohio) and being described as follows:

Beginning, for reference, at Grantor's southeasterly corner, the northeasterly corner of that tract as conveyed to Clyde and Vera M. Howell by deeds of record in Official Record 27747A03 and Official Record 27747A05;

Thence North 86° 20' 04" West, with Grantor's southerly line, a distance of 20.00 feet to the True Point of Beginning;

Thence North 86° 20' 04" West, continuing with said southerly line, a distance of 40.00 feet to a point;

Thence North 03° 34' 56" East, across Grantor's tract, a distance of 92.66 feet to a point in Grantor's northerly line;

Thence South 86° 20' 04" East, with said northerly line, a distance of 40.00 feet to a point;

Thence South 03° 34' 56" West, across Grantor's tract, a distance of 92.66 feet to the True Point of Beginning containing 0.085 acre of land, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC., Clark E. White, Registered Surveyor No. 7868

PARCEL 15P

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Quarter Township 3, Township 1, Range 17, United States Military Lands, and being a strip of land 20.00 feet in width across that tract as conveyed to Ronnie Coleman by deed of record in Official Record 8770B15, (all references refer to records of the Recorder's Office, Franklin County, Ohio) and being described as follows:

Beginning for reference, at Grantor's southeasterly corner, the northeasterly corner of that tract conveyed to Martha Boyd by deeds of record in Official Record 17144F02 and Official Record 17144F04;

Thence North 86° 20' 04" West, with Grantor's southerly line, a distance of 20.00 feet to a point;

Thence North 03° 34' 56" East, across Grantor's tract, a distance of 42.93 feet to a point;

Thence North 23° 58' 16" East, continuing across grantor's tract, a distance of 53.18 feet to a point in Grantor's northerly line;

Thence South 86° 23' 04" East, with Grantor's northerly line, a distance of 1.47 feet to Grantor's northeasterly corner;

Thence South 03° 34' 56" West, with Grantor's easterly line, a distance of 92.81 feet to the True point of Beginning, and containing 0.032 acre of land, more or less.

EVANS, MECHWART, HAMBLETON, & TILTON, INC., Clark E. White, Registered Surveyor No. 7868

PARCEL 15T

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Quarter Township 3, Township 1, Range 17, United States Military Lands, and being a strip of land across that tract as conveyed to Ronnie Coleman by deed of record in Official Record 8770B15, (all references refer to records of the Recorder's Office, Franklin County, Ohio) and being described as follows:

Beginning for reference, at the Grantor's southeasterly corner, the northeasterly corner of that tract conveyed to Martha Boyd by deeds of record in Official Record 17144F02 and Official Record 17144F04;

Thence North 86° 20' 04" West, with Grantor's southerly line, a distance of 20.00 feet to the True Point of Beginning;

Thence North 86° 20' 04" West, continuing with said southerly line, a distance of 40.00 feet to a point;

Thence North 03° 34' 56" East, across Grantor's tract, a distance of 92.76 feet to a point in Grantor's northerly line;

Thence South 86° 23' 04" East, with Grantor's northerly line, a distance of 58.53 feet to a point;

Thence South 23° 58' 16" West, across Grantor's tract, a distance of 53.18 feet to a point;

Thence South 03° 34' 56" West, continuing across Grantor's tract, a distance of 42.93 feet to the True Point of Beginning, and containing 0.096 acre of land, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC., Clark E. White, Registered Surveyor No. 7868

Section 2. That the City Attorney be and hereby is authorized to cause a written notice of the adoption of this resolution to be served upon the owners, persons in possession of or persons having a real or possible interest of record in the above described premises in the manner provided by law.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption and approval by the Mayor, or ten days after adoption if the Mayor neither approves nor vetoes the same.

Adopted April 01, 2002 Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk.

RES NO. 055X-02

To recognize and congratulate Loann W. Crane as the 2002 American Red Cross Humanitarian of the Year Award Recipient.

WHEREAS, on Wednesday, March 20, 2002, Loann W. Crane will receive the 2002 Humanitarian Award presented by the American Red Cross; and

WHEREAS, Loann Crane is a director of Crane Plastics Company, partner in the Winning Images consulting firm and president of Fairwood Investment Company; and

WHEREAS, she is a native of Martins Ferry, Ohio and received her bachelor's degree in Spanish from The Ohio State University in 1947; and

WHEREAS, Crane established the Crane Fund for Hispanic Studies to support study-abroad programs and has taken a leadership role in establishing the college's new World Media and Cultural Center and Crane Cafe where students can watch international television programs, read foreign newspapers, chat via the internet with students in other countries and have a cup of coffee; and

WHEREAS, she is a member of The Ohio State University Foundation, the College of Humanities Development Council, and serves as a trustee of the Columbus Museum of Art, the Upper Arlington Public Library Foundation, Arts Midwest and is a founding member of the United Way Planned Giving Program; and

WHEREAS, she is also a director of Dialogue magazine and Pro Musica and has served as chair of the board of trustees of the Greater Columbus Arts Council and Columbus College of Art and Design; and

WHEREAS, community awards that have been bestowed upon Loann include: the John B. Gerlach Outstanding Volunteer Award, the Alumni Citizenship Award, the Upper Arlington Rotary Northwest Woman of the Year Award, the Temple Israel Humanitarian of the Year, the Upper Arlington Chamber of Commerce Citizen of the Year and the 2002 recipient of the Governor's Awards for the Arts in Ohio; and

WHEREAS, Loann married the late Robert S. Crane in 1948 and is the mother of four and the grandmother of seven now; therefore
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

That this Council does hereby recognize and applaud Loann W. Crane for her outstanding dedication to education, the arts and philanthropy in our community.

Adopted April 01, 2002 Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk.

RES NO. 057X-02

To honor and recognize Francis Cardinal Arinze, President of the Vatican's Pontifical Council for Interreligious Dialogue.

WHEREAS, Francis Arinze was born in Eziowelle, Nigeria, November 1, 1932 was ordained a priest on November 23, 1958; and

WHEREAS, Father Arinze was assigned professional duties at Bigard Memorial seminary in Nigeria and the appointed Regional Secretary for Catholic Education in eastern Nigeria; and

WHEREAS, on August 29, 1965, Pope Paul IV elevated Father Arinze to the Episcopal ranks at the age of 32 and he was ordained Titular Bishop of Fissiana and auxiliary bishop of Onitsha in southern Nigeria; and

WHEREAS, in 1984, Pope John Paul II asked Archbishop Arinze to become Pro-President of the Holy See's Secretariat for Non-Christians and this curial office's was changed to the Pontifical Council for Interreligious Dialogue in 1988; and

WHEREAS, in the Consistory of May 25, 1985, the Holy Father named Archbishop Arinze a Cardinal deacon and bestowed on him the titular church of St. John at della Pigna; now, therefore,

BE IT RESOLVED BY THE CITY OF COLUMBUS COUNCIL MEMBERS:

That the Council does honor and recognizes Francis Cardinal Arinze for his commitment to interreligious dialogue.

BE IT FURTHER RESOLVED, as President of the Council for Interreligious Dialogue; the office also incorporates the Commission for Religious Relations With Muslims, Cardinal Arinze has overseen the promotion of studies and dialogue for the purpose of increasing mutual understanding and respect between Christians and non-Christians.

Adopted April 01, 2002 Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk.

RES NO. 058X-02

To designate April, 2002 as Minority Health Month.

WHEREAS, the Ohio Commission on Minority Health was created by the Ohio General Assembly in 1987 and was the nation's first state office of minority health; and

WHEREAS, the Commission was established in response to the disparity in health status between Ohio's minority and non-minority populations as documented by the Governor's Task Force on Black and Minority Health; and

WHEREAS, created by the Commission in April 1989, Minority Health Month is designed to be a 30-day, high visibility, health promotion and disease prevention campaign; and

WHEREAS, conducted with and by community based agencies and organizations, this celebration reached into urban, suburban and rural areas of the state; and

WHEREAS, Minority Health Month is designed to promote healthy lifestyles, provide crucial information to allow individuals to practice disease prevention, showcase providers of grass roots health care information, highlight the resolution of the disparate health conditions between Ohio's minority and non-minority populations, and gain additional support for the on-going efforts to improve minority health year round; and

WHEREAS, this year, the Commission has collaborated with community based organizations to plan local Minority Health Month kick off events in the seven largest metropolitan areas: Columbus, Cleveland, Cincinnati, Dayton, Akron, Toledo and Youngstown; and

WHEREAS, this is the first year that the metropolitan areas have banded together to conduct thirty days of diverse activities per city; now therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

That this Council does hereby proclaim April as Minority Health Month and applauds the Commission and all of its community partners for 15 years of dedicated service to reducing health disparities among Ohio's communities of color.

BIDS WANTED - PURCHASING OFFICE

Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if corporations, the name and address of the President and Secretary.

EQUAL OPPORTUNITY CLAUSE: Each responsive bidder shall submit, with its bid, a contract compliance certification number or a completed application for certification. Compliance with the provisions of Article I, Title 39, is a condition of the contract. Failure to comply with this Article may result in cancellation of the contract.

WITHOLDING OF INCOME TAX: All bidders are advised that in order for a contract to bind the City, each contract must contain the provisions found in Section 361.34 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractor's employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

DELINQUENT PERSONAL PROPERTY TAX: All bidders are charged with notice of Section 5719.042 of the Ohio Revised Code and agree that if this contract is awarded to them, the successful bidder, prior to the time the contract is entered into, will submit to the City Auditor the affidavit required by said section of the Ohio Revised Code. Said affidavit, when filed with City Auditor, is thereby incorporated into and made a part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as a part thereof.

LOCAL CREDIT: For all contracts except professional service contracts: In determining the lowest bid for purpose of awarding a contract not exceeding \$20,000.00, a local bidder shall receive a credit equal to five percent (5%) of the lowest bid submitted by a non-local bidder. In determining the lowest bid for purposes of awarding a contract in excess of \$20,000.00, a local bidder shall receive a credit equal to one percent (1%) or \$10,000.00, whichever is less, of the lowest bid submitted by a non-local bidder. A local bidder is a person, corporation or business which (a) has listed its principal place of business as being located within the corporation limits of the City of Columbus, or the County of Franklin in official documents filed with Secretary of State, State of Ohio, or a valid vendor's license which indicates its place of business is located within the corporation limits of the City of Columbus or County of Franklin.

FOR COPIES OF ANY OF THE FOLLOWING BID PROPOSAL CALL (614) 645-7599

BID OPENING DATE 04/08/02**BID FOR PURCHASE OF TURNOUT GEAR**

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1ST Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on April 8, 2002 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: FIRE

Bid for Purchase of Turnout Gear Solicitation No. SA000131DRM in accordance with specifications on file in the Purchasing Office.

Joel Taylor, Finance Director
(03/30/02; 04/06/02)

BID FOR MAIL SORT SERVICES

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1ST Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on April 18, 2002 and at this time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: Department of Technology

Bid for Mail Sort Services Solicitation No. SA000235GLM in accordance with specifications on file in the Purchasing Office.

Joel Taylor, Finance Director
(03/30/02; 04/06/02)

BID OPENING DATE 04/18/02**BID FOR PURCHASE OF EMS GLOVES**

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1ST Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on April 18, 2002 and at the time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: Fire

Bid for Purchase of EMS Gloves Solicitation No. SA000237DRM in accordance with specifications on file in the Purchasing Office.

Joel Taylor, Finance Director
(04/06/02; 04/13/02)

BIDS WANTED - OTHER DIVISIONS

Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if corporations, the name and address of the President and Secretary.

EQUAL OPPORTUNITY CLAUSE: Each responsive bidder shall submit, with its bid, a contract compliance certification number or a completed application for certification. Compliance with the provisions of Article I, Title 39, is a condition of the contract. Failure to comply with this Article may result in cancellation of the contract.

WITHOLDING OF INCOME TAX: All bidders are advised that in order for a contract to bind the City, each contract must contain the provisions found in Section 361.34 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractor's employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

DELINQUENT PERSONAL PROPERTY TAX: All bidders are charged with notice of Section 5719.042 of the Ohio Revised Code and agree that if this contract is awarded to them, the successful bidder, prior to the time the contract is entered into, will submit to the City Auditor the affidavit required by said section of the Ohio Revised Code. Said affidavit, when filed with City Auditor, is thereby incorporated into and made a part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as a part thereof.

LOCAL CREDIT: For all contracts except professional service contracts: In determining the lowest bid for purpose of awarding a contract not exceeding \$20,000.00, a local bidder shall receive a credit equal to five percent (5%) of the lowest bid submitted by a non-local bidder. In determining the lowest bid for purposes of awarding a contract in excess of \$20,000.00, a local bidder shall receive a credit equal to one percent (1%) or \$10,000.00, whichever is less, of the lowest bid submitted by a non-local bidder. A local bidder is a person, corporation or business which (a) has listed its principal place of business as being located within the corporation limits of the City of Columbus, or the County of Franklin in official documents filed with Secretary of State, State of Ohio, or a valid vendor's license which indicates its place of business is located within the corporation limits of the City of Columbus or County of Franklin.

FOR COPIES OF ANY OF THE FOLLOWING BID PROPOSAL CALL (614) 645-7599

BID FOR DEPOSIT OF PUBLIC MONEY

Notice is hereby given in accordance with Chapter 321 of the Columbus City Codes, 1959 to all banks, and building and loan or savings associations or companies situated in Franklin County, Ohio, whose application for deposit of public money has been approved by the Columbus Depository Commission that bids will be accepted by the City Treasurer for the deposit of inactive funds:

The City Treasurer will accept such bids by telephone (645-7727) or in person between the hours of 8:00 a.m. and 10:45 a.m. Monday through Friday. Such bids should specify the time span of the certificate of deposit, the rate of interest being offered, the amount of funds being bid upon, and the beginning and ending date for which said bid is applicable. By order of the Columbus Depository Commission.

THOMAS ISAACS, Chairman
HUGH J. DORRIAN, Secretary
JOEL S. TAYLOR, Member

BID OPENING DATE 04/17/02

BID FOR SUGAR RUN SUBTRUNK, NORTH OF CENTRAL COLLEGE ROAD CAPITAL IMPROVEMENTS PROJECT NO. 453.2A

Sealed proposals will be received by Evans, Mechwart, Hambleton & Tilton, Inc. (EMH&T) at their offices at 170 Mill St., Gahanna, OH 43230 until 3:00 p.m., Local Time, on April 17, 2002, and publicly opened and read at that hour and place for the following project. The owner of this construction contract will be Village at New Albany Park, Ltd.

SUGAR RUN SUBTRUNK, NORTH OF CENTRAL COLLEGE ROAD C.J.P. NO. 453.2A

The City of Columbus's contact person for this project is Ann Aubry, P.E., of the Sewerage and Drainage's Sewer System Engineering Section, (614) 645-3122. The work for which proposals are invited consists of construction of 640 linear feet of 30-inch sanitary sewer pipe, 345 linear feet of 27-inch sanitary sewer pipe, 680 linear feet of 24-inch sanitary sewer pipe, 2,010 linear feet of 21-inch sanitary sewer pipe and 495 linear feet of 18" sanitary sewer pipe and such other work as may be necessary to complete the contract in accordance with the plans and specifications. Copies of the Contract Documents and the plans (CC-12717), are on file at the offices of EMH&T, Inc., 170 Mill Street, Gahanna, Ohio, 43230. The first set is available to prospective bidders at no cost with the second and subsequent sets available at a cost of \$25.00 per set on a no-refund basis. No partial units will be released.

Proposals must be submitted on the proper forms contained in the Bid Submittal Documents. The Bid Submittal Documents containing the Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked: SUGAR RUN SUBTRUNK, NORTH OF CENTRAL COLLEGE ROAD CAPITAL IMPROVEMENTS PROJECT NO. 453.2A

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting of either a Proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Developer. The amount of the guaranty shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. The bond must express the amount of the bond in dollars and cents in order to be considered responsive. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements which are included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad Street, 3rd Floor, Columbus, Ohio 43215 (614) 645-8290; at the offices of the Transportation Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182; and at the office of the Director of Public Utilities, 910 Dublin Road, 4th Floor, Columbus, Ohio 43215 (614) 645-6141.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Developer to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, to hold bids for a period of 180 days after the bid opening, and/or to advertise for new proposals, when it is in the best interest of the Developer.

SUBSURFACE DATA

Subsurface data was obtained for project design purposes. Copies of the report are available upon execution of the subsurface information release form.

CONTRACT COMPLETION

The work under this contract shall be completed in a manner acceptable to the Developer and the City of Columbus within 120 calendar days after the effective date of the Notice to Proceed.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

John R. Douthett, P.E., Director of Public Utilities
(03/30/02; 04/06/02)

BID OPENING DATE 04/23/02

BID FOR DAVIS CENTER REAR ENTRANCE RENOVATION

Sealed proposals will be received by the Recreation and Parks Commission of the City of Columbus, Ohio, at its office at 200 Greenlawn Ave., Columbus, Ohio 43223, until 11:00 a.m. on Tuesday, April 23, 2002, and publicly opened and read immediately thereafter for: Davis Center Rear Entrance Renovation

The work for which proposals are invited consists of renovations to rear basement entrance at the Davis Center, 549 Franklin Ave, Columbus. Work will include demolition and excavation of existing stairwell and retaining walls; reconstruct poured concrete retaining walls and steps, handrails, cover, floor drain. Provide and install new metal doorframe and FRP door and hardware. Install new emergency egress lighting at doorway. Restoration of asphalt pavement around new stairwell will be required. Project includes any other related work as may be necessary to complete the contract in accordance with the plans and specifications.

Copies of the Project Manual/Specifications and the plans are on file and available to prospective bidders at Recreation and Parks Department Office at 200 Greenlawn Avenue, Columbus, Ohio 43223 (614) 645-5765 upon a non-refundable payment of \$15.00 per package.

Proposals must be submitted on the proper forms contained in the Project Manual/Specifications and the ENTIRE Project Manual/Specifications containing the Proposal must be submitted in a sealed envelope marked "Davis Center Rear Entrance Renovation."

PRE-BID CONFERENCE

A Pre-bid Conference will be held April 10, 2002 at 10:00 a.m. at Davis Center, 549 Franklin Ave. Bidders are strongly urged to attend. Failure to attend will not disqualify a bidder. However, bidders shall comply with and be responsible for the bid specifications and information discussed at the pre-bid conference

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting of either a proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall be expressed in dollars and cents and shall not be less than ten (10) percent of the bid, including all alternates submitted which increase the bid. A certified copy of the authority to act must accompany all bonds signed by an agent.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract will be required to assure the faithful performance of the work. Bonds shall be with a surety or sureties licensed to conduct business in the State of Ohio, according to Section 103.5 of the City of Columbus Construction and Materials Specifications, latest edition.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio, Construction and Materials Specifications, latest edition, and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of the Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., Room 301, Columbus, Ohio 43215 (614) 645-8290, at the offices of the Construction Inspection Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182, and at the office of the Director of Public Utilities, 910 Dublin Rd, 4th Floor, Columbus, Ohio 43215 (614) 645-6141.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification. Any questions or inquiries concerning this should be directed to the Equal Business Opportunities Commission Office, 109 N. Front Street, 4th Floor, Columbus, Ohio 43215 (614) 645-4764.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Executive Director of Recreation and Parks of the City of Columbus, Ohio, to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, and/or to advertise for new proposals, when it is in the best interests of the City.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

OSHA/EPA/ADA REQUIREMENTS

Contractors are subject to all applicable federal, state and local laws, ordinances, rules and regulations pertaining to services or products to be provided under this requirement.

Jerry Saunders, President, Recreation and Parks Commission

Wayne A. Roberts, Executive Director, Recreation & Parks Department

(03/30/02; 04/06/02)

BID FOR INSTALLATION OF WINDOW SHADES AT 240 PARSONS AVENUE, COLUMBUS HEALTH DEPARTMENT

Sealed bids will be received by the Department of Public Service, Division of Facilities Management of the City of Columbus, Ohio at their office, located at 90 West Broad Street, basement. Room B16, Columbus, Ohio 43215 until 3:00 p.m. local time, on Tuesday, April 23, 2002 and publicly opened and read at the hour and place for INSTALLATION OF WINDOW SHADES AT 240 PARSONS AVENUE, COLUMBUS HEALTH DEPARTMENT.

A pre-bid meeting will be held Thursday, April 11, 2002 at 1:00 p.m., at the Columbus Health Department, Room 119 C. The work for which bids are invited consist of installation of window shades in the Health Department.

Copies of the Contract Documents are available in the office of Facilities Management, 90 West Broad Street, Basement Level, Room B16, Columbus, Ohio 43215 beginning Monday, April 1, 2002. The first set of contract documents are available to prospective bidders at no cost. Additional sets are available to prospective bidders at a non-refundable cost of \$25.00.

Proposals must be submitted on the proper forms contained in the Bid Documents and the Bid Documents containing the Proposals must be submitted IN THEIR ENTIRETY in a sealed envelopment marked: Bid for: INSTALLATION OF WINDOW SHADES AT 240 PARSONS AVENUE, COLUMBUS HEALTH DEPARTMENT.

FAILURE TO RETURN THE BID PACKET AND REQUIRED INFORMATION MAY RESULT IN REJECTION OF THE PROPOSAL.

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting either of a Proposal Bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall be expressed in dollars and cents and shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements which are included in the Bid Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction and Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

OSHA/EPA REQUIREMENTS

Contractors are subject to all applicable federal, state and local laws, ordinances, rules and regulations pertaining to services or products to be provided under this contract.

CONSTRUCTION AND MATERIALS SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Material Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specification are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Materials Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 West Broad Street, Room 301, Columbus, Ohio 43215, (614) 645-8290, at the office of the Transportation Division, 1800 East 17th Avenue, Columbus, Ohio 43219, (614) 645-3182, at the Director of Public Utilities, 910 Dublin Road, 4th Floor, Columbus, Ohio 43215, (614) 645-6141.

CONTRACT COMPLIANCE REQUIREMENTS AND EQUAL OPPORTUNITY CLAUSE

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification. Any questions or inquiries concerning this should be directed to the Equal Business Opportunity Commission Office.

The City of Columbus encourages the participation of Minority and female owned business enterprises. Each bidder must identify any subcontractors who are minority or female owned businesses (M/FBE's) as defined in Title 39 of the Columbus City Code along with the scope of work and anticipated cost.* This information is gathered and monitored by the Equal Business Opportunity Commission Office (EBOCO). Please contact EBOCO (614) 645-4764 for assistance with identifying potential M/FBE subcontractors. Equal Business Opportunity Commission Office, 109 N. Front Street 4th floor, Columbus, Ohio 43215, (614) 645-4764.

*While the participation of minority and female owned businesses is encouraged the level of minority or female participation will not be a condition of the bid award.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Service of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, or to advertise for new proposals, when it is in the best interest of the City. Also, the right is reserved by the Public Service Director to hold bids for a period of 120 days after the bid opening for evaluating both the proposals and the contractors. The award of the contract may be made at any time during that period.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under laws of any other state.

Linda K. Page, Director, Public Service Department

Johnny B. Scales, Administrator, Division of Facilities Management
(03/30/02; 04/06/02)

BID FOR ALUM CREEK TRAIL DEVELOPMENT: MAIN ST. TO LIVINGSTON AVE

Sealed proposals will be received by the Recreation and Parks Commission of the City of Columbus, Ohio, at its office at 200 Greenlawn Ave., until 11:00 a.m. on Tuesday, April 23, 2002, and publicly opened and read immediately thereafter for: ALUM CREEK TRAIL DEVELOPMENT: MAIN ST. TO LIVINGSTON AVE.

The work for which proposals are invited consists of a new 105 wide asphalt trail along Alum Creek between E. Main St and Livingston Avenue which includes clearing, new asphalt, concrete walks and curb ramps, grading, fencing, seeding, landscaping, and other such work as may be necessary to complete the contract in accordance with the plans and specifications.

Copies of the Project Manual/Specifications and the plans are on file and available to prospective bidders at Recreation and Parks Department Office at 200 Greenlawn Avenue, Columbus, Ohio 43223 (614) 645-5765.

Proposals must be submitted on the proper forms contained in the Project Manual/Specifications and the ENTIRE Project Manual/Specifications containing the Proposal must be submitted in a sealed envelope marked ALUM CREEK TRAIL DEVELOPMENT: MAIN ST. TO LIVINGSTON AVE.
PRE-BID CONFERENCE

A Pre-bid Conference will be held Tuesday, April 16, 2002, at 1:30 p.m., on site in "Pump House Park" 59 on Main Street across from Kroger. Bidders are strongly urged to attend. Failure to attend will not disqualify a bidder. However, bidders shall comply with and be responsible for the bid specifications and information discussed at the pre-bid conference.

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting of either a proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the City of Columbus, Ohio. The amount of the guaranty shall not be less than ten (10) percent of the bid, including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act. The amount of the Bid Bond must be filled in on the Bid Proposal Form.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction and Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., 3rd Floor, Columbus, Ohio, 43215 (614) 645-8290, at the offices of the Construction Inspection Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182, and at the office of the Director of Public Utilities, 910 Dublin Rd., 4th Floor, Columbus, Ohio 43215 (614) 645-6141.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Recreation and Parks of the City of Columbus, Ohio, to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, and/or to advertise for new proposals, when it is in the best interests of the City.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

Jerry Saunders, President, Recreation and Parks Commission
Wayne A. Roberts, Executive Director, Recreation & Parks Department
(04/06/02; 04/13/02)

BID OPENING DATE 04/24/02

BID FOR BIG WALNUT/PARSONS AVENUE SUBTRUNK SEWER CAPITAL IMPROVEMENTS PROJECT NO. 650178

Sealed proposals will be received by Bird and Bull at the Multipurpose Room of the Hamilton Local High School, 4999 Lockbourne Rd., Columbus, OH 43207 until 3:00 p.m., Local Time, on Wednesday, April 24, 2002, and publicly opened and read at that hour and place for the following project. The owner of this construction contract will be Hamilton Local Schools. BIG WALNUT/PARSONS AVENUE SUBTRUNK SEWER C.L.P. NO. 650178

The City of Columbus's contact person for this project is Gary Gilbert, P.E., of the Sewerage and Drainage's Sewer System Engineering Section, (614) 645-7436. The work for which proposals are invited consists of construction of 7,494 L.F. of 42-inch sanitary sewer and 3,558 L.F. of 24-inch sanitary sewer. The pipe material to be used is zero leakage centrifugally cast, fiberglass reinforced mortar pipe. The sewer is to extend from the existing Big Walnut Trunk Sewer to Rathmell Road approximately 1,500 feet east of the Parsons Road intersection and such other work as may be necessary to complete the contract in accordance with the plans and specifications. Copies of the Contract Documents and the plans (CC-12690), are on file at the offices of Bird & Bull, Inc., 2875 W. Dublin-Granville Road, Columbus, Ohio, 43235. The first set is available to prospective bidders at no cost with the second and subsequent sets available at a cost of \$25.00 per set on a no-refund basis. No partial units will be released.

Proposals must be submitted on the proper forms contained in the Bid Submittal Documents. The Bid Submittal Documents containing the Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked: BIG WALNUT/PARSONS AVENUE SUBTRUNK SEWER CAPITAL IMPROVEMENTS PROJECT NO. 650178

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting of either a Proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Developer. The amount of the guaranty shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. The bond must express the amount of the bond in dollars and cents in order to be considered responsive. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements which are included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad Street, 3rd Floor, Columbus, Ohio 43215 (614) 645-8290; at the offices of the Transportation Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182; and at the office of the Director of Public Utilities, 910 Dublin Road, 4th Floor, Columbus, Ohio 43215 (614) 645-6141.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Developer to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, to hold bids for a period of 180 days after the bid opening, and/or to advertise for new proposals, when it is in the best interest of the Developer.

SUBSURFACE DATA

Subsurface data was obtained for project design purposes. Copies of the report are available upon execution of the subsurface information release form.

CONTRACT COMPLETION

The work under this contract shall be completed in a manner acceptable to the Developer and the City of Columbus within 270 calendar days after the effective date of the Notice to Proceed.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state

John R. Doult, P.E., Director of Public Utilities

(04/06/02; 04/13/02)

BID OPENING DATE 04/25/02**BID FOR BRUSH CLEARING - 2002**

PLEASE NOTE THE BID LOCATION HAS CHANGED: Sealed proposals will be received by the City of Columbus Transportation Division, 109 N. Front Street, 3rd Floor, Room 320, Columbus, Ohio 43215 until 3:00 P.M. local time, and publicly opened and read at 109 N. Front Street, 2nd Floor, Room 205 at 3:00 P.M. on April 25, 2002, for Brush Clearing - 2002. The work for which proposals are invited consists of clearing brush and trees along the City streets and highways, and such other work as may be necessary to complete the contract in accordance with the plans and specifications.

Copies of the Contract Documents and the plans are on file in the office of the Transportation Division Administrator, 109 N. Front Street, 3rd Floor, Columbus, OH 43215 and are available to prospective bidders at no cost.

Proposals must be submitted on the proper forms contained in the Bid Submittal Documents and the Bid Submittal Documents containing the Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked Bid for BRUSH CLEARING - 2002.

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting of either a Proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall be expressed in dollars and cents and shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

(Not applicable for this project)

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 50 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, 1996 edition, will be required to assure the faithful performance of the work.

SUBSURFACE DATA (Not Applicable for this Project)

Subsurface data was/was not obtained for project design purposes. If obtained, copies of the report are available upon execution of the subsurface information release form.

PRE-BID CONFERENCE

(Not Applicable for this Project)

CONTRACT COMPLETION

The contract completion time is 45 calendar days.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, 1996 edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., 3rd Floor, Columbus, Ohio 43215 (614) 645-8290, at the offices of the Transportation Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182, and at the office of the Director of Public Utilities, 910 Dublin Rd., 4th Floor, Columbus, Ohio 43215 (614) 645-6141.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

The City of Columbus encourages the participation of Minority and female owned business enterprises. Each bidder must identify any subcontractor(s) who are minority or female owned businesses (M/FBE's) as defined in Title 39 of the Columbus City Code along with the scope of work and anticipated cost.* This information is gathered and monitored by the Equal Business Opportunity Commission Office (EBOCO). Please contact EBOCO (614) 645-4764 for assistance with identifying potential M/FBE subcontractors.

*While the participation of minority and female owned businesses is encouraged the level of minority or female participation will not be a condition of the bid award.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Service of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, or to advertise for new proposals, when it is in the best interests of the City.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

(04/06/02; 04/13/02)

**PROFESSIONAL SERVICES
REQUEST FOR PROPOSAL (RFP)
REQUEST FOR STATEMENT OF QUALIFICATIONS (RFSQ)**

**REQUEST FOR PROPOSALS
POLICE OFFICER APPLICANT PSYCHOLOGICAL SCREENING SERVICES**

General Information

In accordance with Columbus City Code §329.12, proposals will be accepted from licensed psychologists and psychological consulting firms by the Columbus Civil Service Commission, located in Room 500, 50 West Gay Street, Columbus, Ohio 43215, through 4:00 p.m., April 24, 2002. The Commission reserves the right to extend this time period if an acceptable number of proposals that meet the requirements have not been received. Any extension of the time period to submit proposals will be printed in the Columbus City Bulletin. The Commission will not be responsible for late mail or other delayed deliveries. All proposals received by the deadline will be read, analyzed and evaluated according to predetermined criteria. Awarding of a contract is contingent upon funding by City Council.

Copies of the Contract documents (Advertisement, Request for Proposal, and Proposal Format Guidelines) are on file and available at Commission offices. This information may be obtained by visiting the office from 8:00 a.m. to 4:00 p.m., Monday through Friday, from April 1 through April 24, 2002. Or, qualified and interested parties may contact Brenda Sobieck at the Civil Service Commission at (614)-645-8017 to obtain a Request for Proposal packet.

Proposals should be submitted to the Commission following, as closely as possible, the suggested format on the Proposal Format Guideline sheet included in the Request for Proposals packet. This procedure will help ensure that all proposals are evaluated consistently and fairly. Four copies of the proposal should be placed in an envelope marked "Psychological Screening Proposals" and delivered or mailed to Commission offices by the April 24, 2002 deadline. The Commission also reserves the right to waive technical defects, as the interests of the City of Columbus may require.

Proposals become public records after a contract is finalized with the selected consultant. The Commission will not be responsible for maintaining the confidentiality of information that may be considered proprietary.

The Contract for the selected psychologist or firm will be for a period from July 1, 2002 through June 30, 2003 with an option for two one-year renewal periods. The proposer must state in full detail, within the proposal, qualifications and experience in this class of work.

Delinquent Personal Property Tax

All proposers are charged with notice of Section 5719.042 of the Ohio Revised Code, and agree that if this contract is awarded to them, the successful proposer, prior to the time the contract is entered into, will submit to the City Auditor the affidavit required by said section of the Ohio Revised Code. Said affidavit, when filed with the City Auditor, is thereby incorporated into and made a part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as a part thereof.

Equal Employment Opportunity

Each responsive proposer shall submit, with its proposal, a contract compliance certification number or a completed application for certification. Minority business enterprises and female business enterprises submitting proposals shall also identify themselves as certified Minority or Female Business Enterprises. Compliance with the provisions of Article 1, Title 39, is a condition of the contract. Failure to comply with this Article may result in cancellation of the contract. Further details regarding the content and format for the proposals are included under the Request for Proposal. Questions regarding the proposals may be addressed to Brenda Sobieck, Personnel Administrative Officer at the Civil Service Commission at (614)-645-8017.

SPECIAL PROVISIONS

Contract

The selected proposer will be required to exercise a written contract for the services of Psychologist for Screening Police Officer Applicants for the City of Columbus, Ohio within ten (10) days after notification of the acceptance of the proposal. The contract must be in the form provided.

Every proposer must take notice of the fact that even though the proposal is accepted and the documents signed by the proposer to whom an award is made and by the Executive Director of the Civil Service Commission on behalf of the City, that no such award or signing by the Executive Director of the Civil Service Commission shall be considered a binding contract without the proper certificate by the City Auditor that funds are available, or without the approval of the City Attorney as to the form and legality of the contract.

Acceptance and Rejection of Proposals

All proposals submitted to the City of Columbus will be accepted or rejected within a period of 180 days from due date. The City reserves the right to reject any and all proposals, to waive technicalities and to request new proposals.

Withdrawal of Proposals

Proposers may withdraw their proposals at any time prior to the time specified in this Advertisement as the closing time for the receipt of proposals. However, no proposer shall withdraw or cancel a proposal for the period of 180 calendar days after said advertised closing time for the receipt of the proposals.

Name of Bidder - Signature Required

The proposal must be signed in ink. If the bidder is a firm or corporation, insert the corporate name followed by the signature of a person authorized to sign said proposal; if a partnership, indicate partnership name followed by the signature of one of the partners; if a sole proprietorship, the signature of the owner is required. Where the person signing for a corporation is other than the president, an affidavit or a resolution of the Board of Directors showing the authority of that person to bind the corporation must be furnished.

Default Provision

In case of default by the proposer or contractor, the City of Columbus may procure the services from other sources and hold the proposer or contractor responsible for any excess costs occasioned or incurred thereby.

Applicable Laws

The Revised Code of the State of Ohio, the Charter of the City of Columbus and all City ordinances insofar as they apply to the laws of competitive bidding, contracts and purchases, are made a part hereof.

Infringements and Indemnifications

The contractor shall indemnify and save from loss the City of Columbus, Ohio, from all suits and expenses over and above those included in the contract prices, for royalties or infringement of patents that may be involved in the use of equipment, machinery, supplies or material; and the contractor shall take to defend, at the contractor's own expense, any and all suits brought against the City of Columbus, by reason of the things above specified.

Pricing

Proposers are required to quote firm or fixed prices for the duration of any contract which may be a result of the proposal unless otherwise noted in the Request for Proposals. In the event of a conflict between the price in numbers and the price in words, the price in words will control. Due to the nature of the Psychological Screening project, the number of candidates that will be interviewed is uncertain. This number may be affected by budget constraints, the number of classes admitted to the Police Academy and the characteristics of the applicant pool.

Quality

Unless otherwise stated by the proposer, the proposal will be considered as being in strict accordance with the specifications outlined in this Request for Proposal.

Unacceptable Proposals

No proposal will be accepted from or a contract awarded to any person, firm or corporation that is in arrears or is in default to the City of Columbus, Ohio, upon any debt or contract, or that is a defaulter of surety or otherwise, upon any obligation to the City, or has failed to perform faithfully any previous contract with the City.

Upon acceptance of a proposal, the City of Columbus reserves the right to deem the proposal unacceptable if the proposer does not submit the proper information to the City Auditor and City Attorney in accordance with this Advertisement and City regulations.

Contractor's Ability

The proposer shall submit with the proposal, sufficient information to fully indicate that the proposer has the facilities and equipment at the proposer's command to do the work properly and expeditiously; that the proposer has suitable finances to meet all obligations incidental to the work; and that the proposer has sufficient and appropriate technical qualifications and experience to successfully perform and complete the contract work, as specified.

Independent Contractor

The successful proposer shall be and remain an independent contractor with respect to all services performed hereunder. The contractor agrees to and does hereby accept full and exclusive liability for the payment of any and all contributions or taxes for social security, unemployment insurance, worker's compensation and retirement benefits, pensions or annuities now and hereafter imposed under any state or federal law which are measured by the wages, salaries or other remuneration paid to persons employed by the contractor on work performed under the terms of this contract. The contractor further agrees to indemnify and save harmless the City of Columbus from any such contributions or taxes or liability therefrom. Additionally, the contractor agrees to obtain a reasonable amount of professional liability insurance.

The contractor agrees to obey all lawful rules and regulations and to meet all lawful requirements which are now or hereafter may be issued or promulgated under said respective laws by the duly authorized municipal, state or federal officials.

Withholding of City Income Tax

Pursuant to Section 361.34 of Columbus City Codes, the proposer hereby shall agree to withhold all City income taxes due or payable under the provisions of Chapter 361, Columbus City Codes, for wages, salaries and commissions paid to its employees and further agrees that any of its subcontractors shall be required to agree to withhold any such City income taxes due under said Chapter for services performed under this contract.

Changes and Addenda to RFP Documents

Each change or addenda issued in relation to this proposal document will be on file at the Civil Service Commission offices, 50 West Gay Street, Room 500 no less than five (5) working days prior to the scheduled RFP due date. In addition, to the extent possible, copies will be mailed to each person registered as having received a Request for Proposal packet from the Commission. Total RFP inquiry or specific item cancellations may be issued later than that time specified above.

Confidentiality

All materials submitted in response to this RFP shall become property of the City of Columbus and may be returned only at the City's option. Any information that the proposer deems as proprietary in nature should be clearly marked as such. All proprietary information will be reviewed closely by the City, but the City will make the final determination as to which parts it considers proprietary. ALL MATERIALS RECEIVED THAT THE CITY CONSIDERS PUBLIC INFORMATION SHALL BE OPEN TO PUBLIC INSPECTION ONCE A CONTRACT HAS BEEN SUCCESSFULLY NEGOTIATED OR NOTICE OF CANCELLATION HAS BEEN ISSUED BY THE CIVIL SERVICE COMMISSION.

(04/06/02; 04/13/02)

PUBLIC NOTICES**NOTICE****2001-2002 MONTHLY MEETING SCHEDULE FOR THE VEHICLE FOR HIRE BOARD**

The Regular monthly meetings of the Columbus Vehicle for Hire Board will be scheduled for the last Thursday of every month at 10:00 a.m. The location of the meeting will be the License Section Conference Room at 240 Greenlawn Avenue, Columbus, Ohio 43223.

The Dates are as follows:

November 29, 2001
December 27, 2001
January 31, 2002
February 28, 2002
March 28, 2002
April 25, 2002
May 30, 2002
June 27, 2002
July 25, 2002
August 29, 2002
September 26, 2002
October 31, 2002
November 28, 2002
December 26, 2002

The VFHB will use reasonable efforts to hold its meetings in conformity with this schedule, but the VFHB reserves the right to change the date, time, or location of any meeting; or to hold additional meetings. To confirm meeting dates, please contact Lisa Davis, Recording Secretary, in the License Section Office at (614) 645-7471; or E-mail to imdavis@cmhmetro.net.
(11/01;12/02)

NOTICE**2001-2002 MONTHLY MEETING SCHEDULE FOR THE COLUMBUS CHARITABLE SOLICITATION BOARD**

The Regular monthly meetings of the Columbus Charitable Solicitations Board will be scheduled for the third Thursday of every month at 10:00 a.m., with the exception of February and March, which will be the second Thursday of the month at 10:00 a.m. The location of the meeting will be the License Section Conference Room at 240 Greenlawn Avenue, Columbus, Ohio 43223.

The Dates are as follows:

November 8, 2001 (Due to Holidays)
December 6, 2001 (Due to Holidays)
January 17, 2002
February 14, 2002
March 14, 2002
April 18, 2002
May 16, 2002
June 20, 2002
July 18, 2002
August – NO MEETING
September 19, 2002
October 17, 2002
November 7, 2002 (Due to Holidays)
December 5, 2002 (Due to Holidays)

The CSB will use reasonable efforts to hold its meetings in conformity with this schedule, but the CSB reserves the right to change the date, time, or location of any meeting; or to hold additional meetings. To confirm meeting dates, please contact Lisa Davis, Recording Secretary, in the License Section Office at (614) 645-7471

Applications can be obtained by mail: Charitable Solicitations Board; c/o License Section, 240 Greenlawn Avenue; Columbus, Ohio 43223; or phone (614) 645-7471; or E-mail to imdavis@cmhmetro.net.
(11/01;12/02)

OFFICIAL NOTICE**CIVIL SERVICE COMMISSION COMPETITIVE EXAMINATION ANNOUNCEMENTS
APPLY DAILY MONDAY THROUGH FRIDAY 8:00 A.M. TO 4:30 P.M.**

The Civil Service Commission continuously administers competitive examinations. Information regarding examinations, for which the Civil Service Commission is currently accepting applications, is posted at the Commission offices located at 50 West Gay Street, 6th Floor, Columbus, Ohio.

Please note that all visitors to the Beacon Building are required to produce a picture ID, authenticating their identity, in order to visit the applications area. Interested applicants should regularly check this location for examination announcements. Also, please visit our website at www.csc.cmhmetro.net

(1/02;12/02)

EXHIBIT A**NOTICE OF REGULAR MEETINGS COLUMBUS RECREATION AND PARKS COMMISSION**

The Recreation and Parks Commission, appointed and organized under the Charter of the City of Columbus, Section 112-1 is empowered to equip, operate, direct and maintain all the existing recreational and park facilities. In addition, said Commission exercised certain powers and duties as specified in Sections 112-1 and 112-2 of the Columbus City Charter.

Please take notice that meetings of the Recreation and Parks Commission will be held at the Recreation and Parks Operations Complex conference room 420 W. Whittier Street at 8:30 a.m. on the following dates (unless otherwise posted):

Wednesday, January 9, 2002
 Wednesday, February 13, 2002
 Wednesday, March 13, 2002
 Wednesday, April 10, 2002
 Wednesday, May 8, 2002
 Wednesday, June 10, 2002
 August Recess – No meeting
 Wednesday, September 11, 2002
 Wednesday, October 9, 2002
 Wednesday, November 13, 2002
 Wednesday, December 11, 2002

In the event no proper business exists the meeting may be cancelled without further notice. For further information you may contact the Recreation and Parks Department, 90 West Broad Street, Room 115, Columbus, Ohio 43215 (Telephone: [614] 645-3300).

Wayne A. Roberts, Director

(01/02;12/02)

NOTICE

MEETING SCHEDULE CITY OF COLUMBUS RECORDS COMMISSION

The regular meetings of the City of Columbus Records Commission for the calendar year 2002 are scheduled as follows:

Monday, February 4, 2002
 Monday, May 13, 2002
 Monday, September 30, 2002

The location of these meetings will be City Hall, 90 West Broad Street, 2nd Floor, Mayor's Conference Room. They will begin promptly at 10:00 a.m.

Every effort will be made to adhere to the above schedule, but the City of Columbus Records Commission reserves the right to change the date, time or location of any meeting; or to hold additional meetings. To confirm meeting date, time and location or to obtain agenda information, contact the Office of the City of Columbus Records Commission Coordinator at (614) 645-8539.

(11/2002;11/2002)

AGENDA

DEVELOPMENT COMMISSION ZONING MEETING

The Development Commission of the City of Columbus will hold a public hearing on the following applications on THURSDAY, APRIL 11, 2002, beginning at 6:00 P.M. at the CITY OF COLUMBUS, I-71 NORTH COMPLEX at 757 Carolyn Avenue, Columbus, OH 43224 in the lower level HEARING ROOM.

Further information may be obtained by calling the Building Services Section Zoning Information at 645-7314.

SPECIAL NOTE TO THE APPLICANT: It is important that you or your representative be present at the public hearing.

The following applications for amendments to the Official Zoning Map of the City will be presented to the Development Commission as listed on the agenda.

THE FOLLOWING CASES WILL BE HEARD ON THE 6:00 P.M. AGENDA:

1. APPLICATION: Z02-016
 Location: 3601 NORTH HIGH STREET (43214), being 0.92± acres located at the southwest corner of North High Street and Northmoor Place. (Clintonville Area Commission)
 Existing Zoning: C-2, Commercial District.
 Request: CPD, Commercial Planned Development District.
 Proposed Use: Fire Station redevelopment.
 Applicant(s): Brian S. Lewie, Department of Public Service, Division of Facilities Management; 90 West Broad Street; Columbus, Ohio 43215.
 Property Owner(s): The Applicant.
2. APPLICATION: Z02-008
 Location: 159 DERING AVENUE (43207), being 0.12± acres located at the southwest corner of Dering Avenue and South Fifth Street.
 Existing Zoning: SR, Suburban Residential District.
 Request: L-C-3, Limited Commercial District.
 Proposed Use: Commercial development.
 Applicant(s): Steve Fickenworth; 1213 Obetz Road; Columbus, Ohio 43207.
 Property Owner(s): The applicant.
3. APPLICATION: Z02-015
 Location: 2575 SOUTH HIGH STREET (43223), being 0.85± acres located on the west side of South High Street at the terminus of Loxley Drive.
 Existing Zoning: C-4, Commercial District.
 Request: C-5, Commercial District.
 Proposed Use: Carry-out.
 Applicant(s): David L. Betz; 2079 West Fifth Avenue; Columbus, Ohio 43212.
 Property Owner(s): Robert F. Ritchie and William R. Flaherty; c/o The Applicant.
4. APPLICATION: Z01-095
 Location: 2035 HILLIARD-ROME ROAD (43026), being 1.14± acres located on the west side of Hilliard-Rome Road, 200± feet north of Tanglewood Park Boulevard.
 Existing Zoning: R, Rural District.
 Request: L-C-1, Limited Commercial District.

- Proposed Use: Ice Cream/ Frozen Custard Shop.
 Applicant(s): T.D. Lee Properties; c/o Donald T. Plank, Atty.; 145 East Rich Street, Columbus, Ohio 43215.
 Property Owner(s): The applicant.
 5. APPLICATION: Z02-012
 Location: 2764 FREEDOM TRAIL (43068), being 0.92± acres located on the east side of Freedom Trail, 180± feet south of Tussing Road.
 Existing Zoning: CPD, Commercial Planned Development District.
 Request: L-C-5, Limited Commercial District.
 Proposed Use: Automatic and self-service carwash.
 Applicant(s): Spot Free Carwash; c/o Nick Mascari; 960 Jug Street; Pataskala, Ohio 43062.
 Property Owner(s): LaPetite Academy, Inc.; 8717 West Tenth Street, Suite 300; Overland Park, Kansas 66210.
 6. APPLICATION: Z02-005
 Location: 824 LAZELLE ROAD (43081), being 47.44± acres located north side of Lazelle Road adjacent Interstate 71.
 Existing Zoning: R, Rural District.
 Request: PUD-8, Planned Unit Development District.
 Proposed Use: Single-family residential development.
 Applicant(s): Dominion Homes, Inc.; c/o Donald T. Plank, Atty.; 145 East Rich Street, Columbus, Ohio 43215.
 Property Owner(s): Larry E. & Cathi A. Nelson, et al (9); c/o The Applicant.
- THE FOLLOWING CASES WILL BE HEARD ON THE 7:00 P.M. AGENDA:
7. APPLICATION: Z01-079
 Location: 9263 SOUTH OLD STATE ROAD (43035), being 1.0± acres located on the west side of South Old State Road, 700± feet south of Polaris Parkway.
 Existing Zoning: R, Rural District.
 Request: L-C-4, Limited Commercial District.
 Proposed Use: Retail commercial development.
 Applicant(s): Gerardo D. Fantozzi; c/o William A. Goldman, Atty.; 454 East Main Street, Suite 227; Columbus, Ohio 43215.
 Property Owner(s): Donald W. & Bernadine M. Cutler; c/o The applicant.
 8. APPLICATION: Z02-013
 Location: 7698 NORTH HIGH STREET (43235), being 10.1± acres located at the northeast and southeast corners of North High Street and Crosswoods Drive.
 Existing Zoning: CPD, Commercial Planned Development District.
 Request: L-AR-1, Limited Apartment Residential District.
 Proposed Use: Multi-family residential development.
 Applicant(s): Multicon Development Co.; c/o Jeffrey L. Brown, Atty.; 37 West Broad Street; Columbus, Ohio 43215.
 Property Owner(s): Pontifical College Josephinum; c/o The Applicant.
 9. APPLICATION: Z01-069
 Location: 5881 WEST BROAD STREET (43112), being 77.4± acres located on the south side of West Broad Street, 250± feet west of Galloway Road (Westland Area Commission).
 Existing Zoning: R, Rural District.
 Request: L-C-4, Limited Commercial and R-2, Residential District.
 Proposed Use: Commercial and single-family residential development.
 Applicant(s): Dominion Homes, Inc. c/o Jeffrey L. Brown, Atty.; 37 West Broad Street, Suite 725; Columbus, Ohio 43215.
 Property Owner(s): Alta-Rome Realty; c/o The applicant.
 10. APPLICATION: Z02-007
 Location: 5665 BROADVIEW ROAD (43230), being 13.7± acres located on the south side of Broadview Avenue at the terminus of Boulder Dam Drive.
 Existing Zoning: PUD-6, Planned Unit Development and R, Rural Districts.
 Request: PUD-6, Planned Unit Development District.
 Proposed Use: Single-family and multi-family residential development.
 Applicant(s): M.H. Murphy Development Company; c/o Steven Fulkert; 677 Notchbrook Drive; Delaware, Ohio 43015.
 Property Owner(s): Martin Griffith; 5665 Broadview Road; Columbus, Ohio 43230.
 11. APPLICATION: Z02-006
 Location: 4980 ROBERTS ROAD (43230), being 1.27± acres located on the north side of Roberts Road, 250± feet west of Walcutt Road.
 Existing Zoning: L-C-5, Limited Commercial District.
 Request: CPD, Commercial Planned Development District.
 Proposed Use: Addition of oil change facility to an existing carwash development.
 Applicant(s): Jerry J. Lee; c/o William A. Goldman, Atty.; 454 East Main Street, Suite 227; Columbus, Ohio 43215.
 Property Owner(s): The applicant.

PROPERTY MAINTENANCE APPEALS BOARD

Monday, April 8, 2002, 1:00 PM
757 Carolyn Avenue, Hearing Room

1. Approval of March 11, 2002 meeting minutes
- 2- Case Number HAB-1313
 - Appellant: Michael Lynch
 - Property: 4335 DUNDEE
 - Inspector: Kelly Collins/John Cross
3. Case Number HAB-1317

- Appellant: Douglas O. Metz
 Property: 5311 NORTH HIGH STREET
 Inspector: Bob Borowitz
4. Case Number HAB-1321
 Appellant: Ruth McFarland
 Property: 3420 MEDINA AVENUE
 Inspector: Chuck Dana
5. Case Number HAB-1322
 Appellant: Fasanthia Wilkerson
 Property: 986 EAST FULTON
 Inspector: Michael Huggins
6. Case Number HAB-1323
 Appellant: George Kanellopoulos
 Property: 77 EAST LANE AVENUE
 Inspector: Sam Harachis
7. Case Number HAB-1324
 Appellant: Eunice Justice
 Property: 1299 FORSYTHE AVENUE
 Inspector: Gene Schrader
- 8- Case Number HAB-1325
 Appellant: Rev. Joel L. King, Jr.
 Property: 48 PARKWOOD AVENUE
 Inspector: Krista McAfee
9. Case Number HAB-1326
 Appellant: Rev. Joel L. King, Jr.
 Property: 32 PARKWOOD AVENUE
 Inspector: Krista McAfee

NOTE: A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Regulations Division is made aware of this need and given a reasonable notice of at least four (4) hours before the scheduled meeting time. To schedule an interpreter, please call Toni Gillum at 645-5884 or TDD 645-3293,
 (04/06/02)

**AGENDA COLUMBUS BUILDING COMMISSION
 APRIL 16, 2002, 1:00 P.M.
 757 CAROLYN AVENUE HEARING ROOM - LOWER LEVEL**

1. APPROVAL OF FEBRUARY 19, 2002 MEETING MINUTES
2. ITEMS FROM THE FLOOR AS APPROVED BY THE BOARD

A sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Building Services Division is made aware of this need and given a reasonable notice of at least four (4) hours before the scheduled meeting time. To schedule an interpreter, please call 645-6079 or TDD 645-3293. Should you have any questions regarding this policy, please contact the City of Columbus, Human Resources Department, at 645-6373.

(04/06/02; 04/13/02)

**PLACEMENT OF TRAFFIC CONTROL DEVICES
 BY ORDER OF THE DIRECTOR OF PUBLIC SERVICE**

Under the power vested in me by Chapters 2105 and 2155 of the Traffic Code of Columbus, Ohio, I hereby determine that the following traffic regulations are necessary and I hereby direct the installation, activation and/or removal of traffic control devices on the effective date of this order, or as soon thereafter as practical, as follows:

SECTION 2105.06 TRAFFIC CONTROL SIGNALS

A traffic control signal shall be installed at the following location: Brodbelt Lane at Neil Avenue

Any existing traffic restrictions, prohibitions or traffic control devices which conflict with this order shall be declared null and void and shall be removed.

BY ORDER OF:

Linda K. Page, Public Service Director

(04/06/02)

**NOTICE
 CIVIL SERVICE COMMISSION**

During its regular meeting held on Monday, March 25, 2002, the Civil Service Commission passed a motion to **abolish** the following classification and to amend Commission Rule XI to delete the abolished classification from the Rule:

<u>Class Code</u>	<u>Title</u>	<u>Probationary Period</u>
2046	Community Training Specialist	270 Days

The amendment will be effective immediately upon publication.

THIS BY DIRECTION OF THE COMMISSION.

(04/06/02)

**NOTICE
CIVIL SERVICE COMMISSION**

During its regular meeting held on Monday, March 25, 2002, passed a motion to **retitle** the following classification and to amend Commission Rule XI to reflect the title change:

<u>Class Code</u>	<u>Old Title</u>	<u>New Title</u>
3800	Plant Maintenance Electrician Supervisor	Plant Maintenance Electrician II

There was no change in the probationary period.
The amendment will be effective upon publication.
THIS BY DIRECTION OF THE COMMISSION.
(04/06/02)

**NOTICE
CIVIL SERVICE COMMISSION**

During its regular meeting on Monday, March 25, 2002, passed motions to **create** the following classifications and to amend Commission Rule XI to reflect the appropriate probationary periods:

<u>Class Code</u>	<u>Title</u>	<u>Probationary Period</u>
0572	Database Administrator	365 Days
0599	Information Technology Security Officer	365 Days
0071	Senior Project Manager	365 Days
0142	Financial Management Administrator	365 Days

The amendments will be effective upon publication.
THIS BY DIRECTION OF THE COMMISSION.
(04/06/02)

**PUBLIC HEARING
BY COLUMBUS CITY COUNCIL**

The following Rezoning/Variance Ordinances will be heard by City Council on Monday, April 15, 2002 at approximately 6:30 p.m. in Council Chambers, Second Floor, City Hall, 90 West Broad Street, Columbus, Ohio 43215.

0550-02 To rezone 4501 EBRIGHT ROAD (43110), being 376.16± acres located north of US Route 33 and Bixby
Z01-061 Road, east of Ebright Road and Blacklick Creek and south of Winchester Pike and Bachman Road, From: R,
Rural District, To: L-C-4, Limited Commercial, L-ARO, Limited Apartment Residential-Office, TC, Town
Center, NC, Neighborhood Center, NG, Neighborhood General and NE, Neighborhood Edge Districts.

0137-02 To grant a Variance from the provisions of Section 3332.037, R-2F, Residential District Use; 3332.27, Rear
CV01-037 Yard; 3332.34, Residential Character; and 3342.28, Minimum Number of Parking Spaces Required; for the
property located at 593-595 and 597-601 MOHAWK STREET (43206), to permit outside bar/restaurant patio
seating in two residential rear yards in the R-2F, Residential District.
(TABLED 4/1/02)

(4/6/02; 4/13/02)

**GRAPHICS COMMISSION
CITY OF COLUMBUS, OHIO**

The City Graphics Commission will hold a public hearing on TUESDAY, APRIL 16, 2002 at 4:15:00 PM in the First Floor Hearing Room, Building and Development Services Section, 757 Carolyn Avenue.

The City Graphics Commission hears requests for Variances, Special Permits^ Appeals, Graphics Plans and certain Miscellaneous Graphics, as provided by the Columbus Graphics Code, Title 33, Article 15 of the City Codes.

SPECIAL NOTE TO APPLICANT: YOU OR YOUR REPRESENTATIVE MUST ATTEND THIS MEETING,

It is the rule of the Commission to withdraw an application when a representative is not present.

SIGN LANGUAGE INTERPRETER: A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service provided the Building and Development Services Section is made aware of this need and given a reasonable notice of at least four (4) hours prior to the scheduled meeting time. To schedule an interpreter, please call 614-645-6373 or TOD 614-645-3293.

1.

ODS No-: 02320-00014
Location: 96 SOUTH GRANT-13 other locations throughout city, 43215, located on the east side of Grant Avenue 100s feet north of Town Street
Area Comm./Civic: NA
Existing Zoning: Downtown Development District & 13 other locations

Request: Variance to Section 3375.19D, E and F- Public service announcement standards which sections require approval by the Graphics Commission when allowable time and size are exceeded.
 Proposed Use: A 240± square foot banner at the Main Branch of the Columbus Metropolitan Library and at 13 other Libraries a 60± square foot banner promoting the Summer Reading Program for a period of time in excess of 7 weeks.
 Applicant: Larry Allen/Columbus Metropolitan Library 96 S. Grant Avenue Columbus, Ohio 43215-4781
 Property Owner: Same as applicant

2.

ODS No.: 02320-00009
 Location: 6200 EAST BROAD STREET, 43213, located at the northeast corner of Taylor Station Rd. & E. Broad St.
 Area Comm/Civic: None
 Existing Zoning: M-1, Manufacturing
 Request: Variance
 3377.10, Permanent on-premises ground signs- To permit the installation of a second ground sign that is internally-illuminated, 72 square feet in area and 8 feet Tall, to identify Lucent Technologies.
 Proposed Use: To add a second ground sign to the Broad St. street frontage to identify a second user within the same building.
 Applicant: Lucent Technologies, Inc. c/o Fred J. Simon 75 East Wilson Bridge Road Worthington, Ohio 43085
 Property Owner: Celestica Corporation, c/o Fred J. Simon, same as applicant

3.

ODS No.: 02320-00008
 Locations: 4349 EASTON WAY, 43230, located at the southeast corner of Easton Way and Easton Loop, East.
 Area Comm/Civic: Northeast Area Commission
 Existing Zoning: CPD, Commercial Planned Development District
 Request: Variance 3377.17, Setback regulations for permanent on-premises ground signs. To reduce the required setback for a ground sign from 15-feet to 5-feet (10-feet). 3377.10, Permanent on-premises ground signs. To permit the installation of a second ground sign on the same street frontage as an existing ground sign.
 Proposed Use: To install a 6± foot tall, 28± square foot, non-illuminated, second ground sign on the same parcel and street frontage as an existing ground sign at a 5-foot setback.
 Applicant: Duke Realty LP c/o Raif Webster
 5600 Blazer Parkway
 Dublin, Ohio 43017
 Property Owner: same as applicant

4.

ODS No.: 02320-00007
 Location: 2824 SOUTH HAMILTON ROAD, 43232, located on the east side of Hamilton Rd-, approximately 400 feet south of Eastland Dr.
 Area Comm/Civic: None
 Existing Zoning: C-4, Commercial District
 Request: Graphics Plan 3375.12, Graphics requiring graphics commission approval. To adopt a graphics plan for a fast-food restaurant.
 Proposed Use: To adopt a graphics plan for a restaurant
 Applicant: TriCon Global Restaurants c/o Dan Combs PMB 1016, 1290 Elliot Drive Middletown, Ohio 45044
 Property Owner: Zantigo Corporation c/o KFC National/Pizza Hut PO Box 35370 Louisville, KY 40232-5370
 Attorney/Agent: Jeffrey L Brown 37 West Broad Street, Suite 725 Columbus, Ohio 43215

5.

ODS No.: 02320-00006
 Location: 4230 DEMOREST COVE COURT, 43123, located at the northeast corner of Demorest Cove Ct. and Demorest Rd. at 1-270,
 Area Comm/Civic: Westland Area Commission
 Existing Zoning: LAR-12, Limited Apartment Residential District
 Request: Variance 3376.04, Residential complex identification signs. To permit the installation of a 28 foot tall, 119 square foot, double-faced illuminated ground sign to identify an apartment complex at a 15 foot setback from 1-270.
 Proposed Use: To install a 28 foot tall, 119 square foot, illuminated ground identification sign for an apartment complex within 660 feet of an interstate highway-
 Applicant: Belper Company c/o David A. Dye, Esq. 10 West Broad Street, Suite 2400 Columbus, Ohio 43215-3469
 Property Owner: Tom Bell/Carlyle V. Perry, Sr. 370 South Fifth Street Columbus, Ohio 43215
 Attorney/Agent: David A. Dye, Esq. 10 West Broad Street, Suite 2400 Columbus, Ohio 43215-3469

6.

ODS No.: 02320-00005
 Location: 2455 BILLINGSLEY ROAD, 43235, located on the south side of Billingsley Rd., 2,200± feet east of Sawmill Rd.
 Area Comm/Civic: Far Northwest Coalition
 Existing Zoning: C.P.D., Commercial Planned District
 Request: Graphics Plan
 3375.12, Graphics requiring Graphics Commission approval. To permit the installation of three ground signs: 1) Two ground signs fronting 1-270; one 139.08 square foot, 31 foot 4 inch high "Mazda" sign and one 144 square foot, 25 foot 9 inch high "Subaru" sign and; 2) One 84 square foot 8 foot high sign along Billingsley Rd. with the copy: "Byers" logo. "Mazda". "Subaru" and "used Hertz"; to permit the installation of wall signs on three buildings: 1) "Mazda" building 1-270 elevation: "Mazda", "Byers" logo and "Mazda" logo totaling 171.88 square feet boxed, with actual area boxed being 90 square feet; 2) "Subaru" building 1-270 elevation: "Subaru", "Byers" logo and "Subaru" logo totaling 162 square feet in area, with actual area boxed being 90.75 square feet and; 3) "Hertz" building Billingsley Rd, elevation: one, 22.5 square foot "Hertz" sign and west elevation: a

"Byers" logo sign and a sign that reads "used" totaling 37.5 square feet. boxed with actual area boxed being 28 square feet and; to permit the installation of two internal directional signs with a maximum height of 4 feet and square footage of 6.25 square feet (locations and copy not identified).

Proposed Use: To adopt a graphics plan for an automobile dealership.
 Applicant: Don Grant, c/o Byers Realty 390 East Broad Street Columbus, Ohio 43215-3819
 Property Owner: Same as Applicant
 Attorney/Agent: Jeffrey L Brown, c/o Smith & Hale 37 West Broad Street. Suite 725 Columbus. Ohio 43215

7.

ODS No.: 02320-00004
 Location: 701 EAST HUDSON STREET, 43211, located on the south side of E- Hudson St., approximately 295 feet east of the h71 northbound exit ramp to Hudson St.
 Area Comm/Civic: South Linden
 Existing Zoning: C-4, Commercial District
 Request: Variance
 3377.03, Permanent on-premises signs. To permit the installation of a wall sign not directed to a street abutting the site.
 Proposed Use: To install a 230 square foot "Holiday Inn Express" sign on the south-facing wall of a hotel.
 Applicant: Midwest Sign Solution c/o David O'Brien, 708 Internet Drive Columbus, Ohio 43207
 Property Owner: 71 Hudson Partners 6500 Olentangy River Road Columbus, Ohio 43085

8.

ODS NO.: 01320-00015
 Location: 4680 MORSE ROAD, 43230, located on the north side of Morse Road, at the terminus of Highmeadow Drive, north to Broadview Road-
 Area Comm/Civic: Northland Community Council
 Existing Zoning: AR-12 & L-ARLD» Apartment Residential District
 Request: 3382.07, Graphics plan. Graphics Plan To adopt a graphics plan for all ground signs associated with an apartment complex.
 Proposed Use: To permit the placement of ground signs along public rights-of-way associated with an existing apartment complex. This includes two 20 sq. ft-, 11-foot tall ground signs along Morse Rd., one on the north side of Morse Rd, at an apartment driveway to the complex and one at the northwest corner of Highmeadows Dr. (a private street), A third sign would be at the southwest corner of Highmeadows Dr. and Broadview Rd. All signs will be at a 15 ft. setback from the public right-of-way.
 Applicant: Casto Communities, c/o Jeffrey L Brown 37 West Broad Street, Suite 725 Columbus, Ohio 43215
 Property Owner: Casto Communities 209 East State Street Columbus, Ohio 43215
 Attorney/Agent: Jeffrey L Brown 37 West Broad Street, Suite 725 Columbus, Ohio 43215

9.

ODS No.: 02320-00002
 Location: 443 SOUTH LUDLOW STREET, 43215, located at the southwest corner of Fulton and Ludlow Streets.
 Area Comm/Civic: Brewery District
 Existing Zoning: M, Manufacturing District
 Request: Review and approval of a Graphics Plan for the subject site, as required by Section 3375,12CA.
 Proposed Use: To modify the approved Graphics Plan from August 15, 2000 as follows: adding additional tenant signage on the Arch signs; changing the rooftop signs from "Chute/Gerdemon" to "Brewery District Columbus, Ohio"; and to add to the water tower two internally illuminated signage panels facing interstate 70, 84 feet in height 90± feet of copy on each sign with electronic changeable copy about the Brewery District.
 Applicant: Ice House Ventures, c/o Arshot Investment Corp. 21 East State Street Columbus, Ohio 43215
 Property Owner: same as applicant
 Attorney/Agent: Daniel H. Schoedinger, Vorys» Safer, Seymour & Pease, LLP, 52 East Gay Street Columbus, Ohio 43215

The names and addresses of the adjacent property owners hereby notified were furnished by the applicant-
 You are not obligated to attend this meeting; however, you must be notified in accordance with law so that
 you can express your approval or disapproval of the variance or special permit if you care to do so.

(4/6/02)

CHANGES IN 1959 COLUMBUS CITY CODE**ORD NO. 0448-02**

To amend various sections of the City of Columbus Fire Prevention Code (Title 25) so that portions of fees collected from certain development related permits and plans examination, while remaining unchanged, are deposited into the Development Services Special Revenue Fund; and to declare an emergency.

WHEREAS, various sections of existing Fire Prevention Code (Title 25) of the Columbus City Codes, 1959, need to be changed so that it is specified that the deposit of certain development related fees shall be to the Development Services Special Revenue Fund without changing the overall fee or resulting in any increase; and

WHEREAS, the inspection portion of the fees associated with plan approval and permitting have been separated out from the plan review and have been adjusted for the first time since 1995 in order to better reflect the administrative costs associated with the development review process; and,

WHEREAS, code language emphasizing the non-refundable nature of fees specified in the Fire Prevention Code was added; and,

WHEREAS, an emergency exists in the City of Columbus in that it is immediately necessary to amend Columbus City Codes, 1959 as it relates to the deposit of specific funds for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That Section 2502.01, of the Columbus City Codes, 1959, is hereby amended to read as follows:
2502.01 Permits.

(A) General: No person shall engage in any business activity involving the handling, storage or use of hazardous substances, materials or devices; or maintain, store or handle materials; or conduct processes which produce conditions hazardous to life or property; or install equipment used in connection with such activities; or establish a place of assembly without first notifying the Fire Official. Permits may be required according to Section 2502.01 (B).

(B) The Fire Official may require, but need not require, any such permit as specified in this code.

(C) Required permits shall be obtained from the Fire Official according to the requirements of this code. Inspection or permit fees, if any, shall be set forth in this code. Permits shall at all times be kept in the premises designated therein and shall at all times be subject to inspection by the Fire Official.

(D) Application for permit: Application for a permit required by this code shall be made to the Fire Official in such form and detail as the Fire Official shall prescribe. Applications for permits shall be accompanied by plans or drawings as required by the Fire Official for evaluation of the application.

(E) Action on application: Before a permit is issued, the Fire Official or his designated representative shall make or cause to be made such inspections or tests as are necessary to assure that the use and activities for which application is made complies with the provisions of this code.

(F) Conditions of permit: A permit shall constitute permission to maintain, store or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities in accordance with the provisions of this code. Such permission shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Said permit shall remain in effect until revoked, or for such period of time specified on the permit. Permits are not transferable and any change in use, operation or tenancy shall require a new permit.

(G) Approved plans: Plans approved by the Fire Official are approved with the intent they comply in all respects to this code. Any omissions or errors on the plans do not relieve the applicant of complying with all applicable requirements of this code.

(H) Revocation of permit: The Fire Official may revoke a permit or approval issued under the provisions of this code if upon inspection any violation of the code exists, or if any false statement or misrepresentation as to material fact in the application, data or plans on which the permit or approval was based, or if any fees required by this code for inspections or permits have not been paid.

(I) Suspension of permit: Any permit issued shall become invalid if the authorized work or activity is not commenced within six months after issuance of the permit or if the authorized work or activity is suspended or abandoned for a period of six months after the time of commencement.

(J) Payment of fees: A permit shall not be issued until the designated fees have been paid. All fees shall be deposited into the General fund unless otherwise specified or provided for. All fees shall be non-refundable unless otherwise specified or provided for.

Section 2. That Section 2502.09, of the Columbus City Codes, 1959, is hereby amended to read as follows:
2502.09 Fire protection system plan review fee schedule.

(A) Sprinkler System: The fee for the sprinkler review is based on the number of sprinkler heads in the system.

Sprinkler Heads	Plan Review Fee	Inspection Fee
1 – 200	\$ 80.00 \$40.00	\$ 40.00
201-300	100.00 \$50.00	50.00
301 – 400	120.00 \$60.00	60.00
401 – 750	150.00 \$75.00	75.00
Over 750	150.00 \$75.00 plus 25¢ per head over 750	75.00 plus 25¢ per head over 750

The review of a hydraulically designed sprinkler system shall be 1.5 times the normal fee for sprinkler review. Review of sprinkler systems using a fire pump shall cost an additional \$50.00 over the fee for sprinkler review. Review of standpipes using the same supply as sprinkler systems with fire pumps are included in the sprinkler system fee. The plan review portion of the above fees shall be deposited into the Development Services Special Revenue Fund. The remaining portion of the above fees shall be deposited into the General Revenue Fund.

(B) Standpipe Systems: The plan review fee shall be \$25.00 for systems without fire pumps and \$50.00 for systems with fire pumps and shall be deposited into the Development Services Special Revenue Fund. The inspection fee for standpipe systems shall be \$25.00 for systems without fire pumps and \$50.00 for systems with fire pumps and shall be deposited into the General Fund. ~~\$50.00 with fire pump \$100.00.~~

(C) Extinguishing Systems: These would include systems using the following agents: carbon dioxide, halon, dry chemical, foam, chemical, all others:

Weight of Agent	Plan Review Fee	Inspection Fee
Up to 50#	\$ 50.00 \$ 25.00	\$ 25.00
51 – 200#	\$ 75.00 \$ 37.50	\$ 37.50
201 – 500#	\$100.00 \$ 50.00	\$ 50.00
Over 500#	\$100.00 + 10¢ \$ 50.00 + 5¢ per # over 500#	\$ 50.00 + 5¢ per # over 500#

The plan review portion of the above fees shall be deposited into the Development Services Special Revenue Fund. The remaining portion of the above fees shall be deposited into the General Revenue Fund.

(D) Automatic Fire Alarm Systems: The fee for an automatic fire alarm system is based on the number of sending, signaling and detecting devices in the system.

Devices	Plan Review Fee	Inspection Fee
1 - 25	\$ 70.00 \$37.50	\$ 37.50
Over 25	70.00 + 75¢ 37.50 + 40¢ per device over 25	37.50 + 40¢ per device

The plan review portion of the above fees shall be deposited into the Development Services Special Revenue Fund. The remaining portion of the above fees shall be deposited into the General Revenue Fund.

(E) Manual Fire Alarm Systems: The fee for a manual fire alarm system is based on the number of sending and signaling devices.

Devices	Plan Review Fee	Inspection Fee
1 – 10	\$ 70.00 \$37.50	\$ 37.50
Over 10	\$ 70.00 + \$1.00 37.50 + 50¢ per device over 10	37.50 + 50¢ per device

The plan review portion of the above fees shall be deposited into the Development Services Special Revenue Fund. The remaining portion of the above fees shall be deposited into the General Revenue Fund.

(F) Other Fire Protection Devices and Systems: The fee for smoke removal systems and other fire protection devices and systems not listed above shall be charged on the basis of time consumed reviewing the plan at the rate of one hundred dollars (\$100.00) for each hour or fraction thereof. This fee shall be in addition to, and separate from, any required inspection fee and shall be deposited into the Development Services Special Revenue Fund. The inspection fee shall be at the hourly rate as specified in C.C. 2502.11(B).

(G) Flammable or Combustible Liquid, or Flammable or Nonflammable Gas Installations: The fee for this plan review shall be charged on the basis of time consumed reviewing the plan at the rate of one hundred dollars (\$100.00) for each hour or fraction thereof. This fee shall be in addition to, and separate from, any required inspection fee and shall be

deposited into the Development Services Special Revenue Fund. The inspection fee shall be at the hourly rate as specified in C.C. 2502.11(B).

Section 3. That Section 2502.10, of the Columbus City Codes, 1959, is hereby amended to read as follows:
2502.10 Subdivision plat plan, water main plan, street improvement plan and private development plan review fee schedule.

(A) Preliminary Subdivision Plat Plans: The fee for this plat plan review is \$35.00. This fee shall be in addition to, and separate from, any required inspection fee and shall be deposited into the Development Services Special Revenue Fund.

(B) Final Subdivision Plat Plans: The fee for this plat plan review is \$25.00. This fee shall be in addition to, and separate from, any required inspection fee and shall be deposited into the Development Services Special Revenue Fund.

(C) Public Street Improvement Plans - Private Development: The fee schedule for this plan review is as follows:

*Number of Fire Hydrants Involved in Project	<u>Plan Review Fee</u>	<u>Inspection Fee</u>
0 – 5	\$ 45.00 <u>\$ 15.75</u>	<u>\$ 29.25</u>
6 – 10	\$ 65.00 <u>\$ 22.75</u>	<u>\$ 42.25</u>
11 – 15	\$ 85.00 <u>\$ 29.75</u>	<u>\$ 55.25</u>
Over 15	\$ 85.00 + \$2.00 <u>\$ 29.75 + 70¢ per hydrant over 15</u>	<u>\$ 55.25 + \$1.30 per hydrant over 15</u>

* Also includes existing hydrants to be relocated or replaced.

The plan review portion of the above fees shall be deposited into the Development Services Special Revenue Fund. The remaining portion of the above fees shall be deposited into the General Revenue Fund.

(D) Public Water Main Plans - Private Development: The fee schedule for this plan review is as follows:

*Number of Fire Hydrants Involved in Project	<u>Plan Review Fee</u>	<u>Inspection Fee</u>
0 – 5	\$ 55.00 <u>\$ 19.25</u>	<u>\$ 35.75</u>
6 – 10	\$ 75.00 <u>\$ 26.25</u>	<u>\$ 48.75</u>
11 – 15	\$100.00 <u>\$ 35.00</u>	<u>\$ 65.00</u>
Over 15	\$100.00 + \$2.50 <u>\$ 35.00 + 88¢ per hydrant over 15</u>	<u>\$ 65.00 + \$1.62 per hydrant over 15</u>

* Also includes existing hydrants to be relocated or replaced.

The plan review portion of the above fees shall be deposited into the Development Services Special Revenue Fund. The remaining portion of the above fees shall be deposited into the General Revenue Fund.

(E) Private Water Main Plans: The fee schedule for this plan review is as follows:

*Number of Water Main Appurtenances Involved in Project	<u>Plan Review Fee</u>	<u>Inspection Fee</u>
0 – 5	\$ 70.00 <u>\$ 24.50</u>	<u>\$ 45.50</u>
6 – 10	\$100.00 <u>\$ 35.00</u>	<u>\$ 65.00</u>
11 – 15	\$130.00 <u>\$ 45.50</u>	<u>\$ 84.50</u>
Over 15	\$130.00 + \$3.00 <u>\$ 45.50 + \$1.05 per appurtenance over 15</u>	<u>\$ 84.50 + \$1.95 per appurtenance over 15</u>

* Includes new fire hydrants, relocated fire hydrants, replaced fire hydrants, abandoned fire hydrants, lead-ins to risers, and remote fire department connections.

The plan review portion of the above fees shall be deposited into the Development Services Special Revenue Fund. The remaining portion of the above fees shall be deposited into the General Revenue Fund.

Section 4. That Section 2502.11, of the Columbus City Codes, 1959, is hereby amended to read as follows:
2502.11 Acceptance test fee.

(A) General: A building, structure or any portion thereof shall not be occupied until all required fire protection systems and devices and all fire hydrants have been tested in the presence of the Fire Official and approved.

(B) The plan review fees set forth in Section 2502.09 and 2502.10 include the cost of having one fire inspector present (if required) during the initial acceptance test for the system reviewed as indicated. If, in the opinion of the Fire Official, more than one fire inspector is required to properly and efficiently witness the acceptance test, a fee shall be

charged for each additional fire inspector required on the basis of time consumed by each fire inspector, at the rate of thirty-five dollars (\$35.00) for each hour or fraction thereof.

(C) Should a subsequent acceptance test become necessary, for whatever reason, for approval of a fire protection system or systems, a fee of seventy-five dollars (\$75.00) shall be paid for the presence of a Fire Official at each subsequent test.

(D) Public Fire Hydrants - Private Developments: The acceptance test fee shall be charged on the basis of time consumed by each inspector or authorized person performing the service at the rate of thirty-five dollars (\$35.00) for each hour or fraction thereof.

(E) Private Fire Service Mains and Hydrants: The acceptance test fee shall be charged on the basis of time consumed by each inspector or authorized person performing the service at the rate of thirty-five dollars (\$35.00) for each hour or fraction thereof. (Ord. 2049-95.)

Section 5. That for the reasons stated in the preamble hereto which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed March 18, 2002, Matthew D. Habash, President of Council / Approved March 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0453-02

To repeal an existing Chapter of the Columbus City Codes, 1959, regarding loud noise and to enact a new Chapter that vests the Director of Public Safety with the legal authority to exercise actions to abate nuisance and loud noise and to clarify the acts that constitute unreasonable noise as a criminal offense.

WHEREAS, it is the objective of the City Of Columbus to provide the most efficient delivery of city services possible to its neighborhoods; and

WHEREAS, Police Officers in the Department of Public Safety are not currently authorized to enforce the codes necessary to abate nuisance and loud noise violations and to issue citations to those who violate this code; and

WHEREAS, in an effort to improve efficiency by vesting the responsibility of enforcement of nuisance and loud noise issues in two city agencies, the Columbus Department of Public Safety and the Columbus Health Department, rather than the current organization of one agency, the Columbus Health Department; and

WHEREAS, proposed Section 2329.11 will clearly enumerate the responsibilities of persons in control of any property within the City and assign the responsibility and authority to enforce and abate those requirements pertaining to nuisance and loud noises to the Director of Public Safety and Director of Public Health; and

WHEREAS, it is deemed necessary and advisable to undertake the aforementioned actions for the preservation of the public health, peace, property, safety and welfare; Now, Therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Columbus City Code, 1959, is hereby repealed by enacting Section 2329.11 which shall read as follows:

2329.11 Community noise.

(A) Definitions. All definitions/terminology used in this chapter, not defined below, shall be in conformance with applicable standards of the American National Standards Institute (ANSI) or its successor body. For the purpose of this chapter certain words and phrases used herein are defined as follows:

(1) "Ambient noise level" means the sound pressure level of the all-encompassing noise associated with a given environment, being a composite of many sounds. For the purpose of this chapter, it is the sound pressure level exceeding 90 percent of the time, based upon a measurement period of not less than 10 minutes and excluding the alleged offensive noise.

(2) "Auditory Device" means any device that can be used to create a sound that can be heard.

(3) "Average sound level" means a sound level typical of the sound levels observed at a certain place during a given period of time averaged by the general rule of combination for sound levels, said general rule being set forth in ANSI specifications for sound level meters. Average sound level is also called equivalent continuous sound level.

(4) "A-weighted sound level" means the total sound pressure level in decibels of all sound as measured by a sound level meter with a reference pressure of 20 micropascals using the A-weighted network. The Unit of measurement shall be defined as dBA or dB(A).

(5) "Danger Signal" means any type of communication used to convey a warning of a potentially harmful situation to another.

(6) "Decibel" means a unit for measuring the intensity of a sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals. Decibel is denoted as "dB."

(7) "Device" means any system or machine devised or constructed to perform one or more tasks.

(8) "Emergency vehicle" means emergency vehicles of municipal, township, or county departments or public utility corporations when identified as such as required by law, the Ohio Director of Public Safety, or Safety Director, and motor vehicles when commandeered by a police officer.

(9) "Emergency work" means any work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency.

(10) "Health Commissioner" means the Health Commissioner of the City of Columbus or his authorized representative.

(11) "Musical Instrument" means any device designed to produce music.

(12) "Land use category" means those land uses defined and established by the Zoning Code and all subsequent changes and additions.

(13) "Loud or Raucous Noise" means any noise or sound that emanates in such a manner and/or volume and is of such intensity, character and duration to be offensive or disturbing to a person of ordinary sensibilities.

(14) "Machine" means any system or device together with its power source and auxiliary equipment used to accomplish a specific objective.

(15) "Motorcycle" means every motor vehicle other than a tractor having a saddle for the use of the operator and designed to travel on not more than three wheels in contact with the ground, including, but not limited to motor vehicles known as "motor-driven cycle," "motor scooter," or "motorcycle" without regard to weight or brake horsepower.

(16) "Motor vehicle" means every vehicle propelled or drawn by power other than muscular power, except motorized bicycles, road rollers, traction engines, power shovels, power cranes and other equipment used in construction work and not designed for or employed in general highway transportation, hole-digging machinery, well-drilling machinery, ditch-digging machinery, farm machinery, trailers used to transport agricultural produce or agricultural production materials between a local place of storage or supply and the farm when drawn or towed on a public street or highway at a speed of twenty-five (25) miles per hour or less, threshing machinery, hay-baling machinery, and agricultural tractors and machinery used in the production of horticultural, floricultural, agricultural and vegetable products.

(17) "Muffler" means any apparatus consisting of baffles, chamber, or acoustical absorbing material whose primary purpose is to transmit liquids or gases while causing a reduction in sound emission at one end.

(18) "Noise" means any sound which is unwanted or which causes or tends to cause an adverse psychological or physiological effect on human beings.

(19) "Organized Event" means any event that is open to the general public in accordance with a city-issued permit or with prior state or city authorization.

(20) "Person" means any public or private corporation, individual, firm, partnership, association, or other entity.

(21) "Powered model vehicle" means any powered vehicles, either airborne, waterborne, or land borne, which are designed not to carry persons or property including but not limited to, model airplanes, boats, cars, rockets, and which can be propelled by mechanical means.

(22) "Property boundary or line" means the surveyed line along the ground surface, and its vertical extension, which separates the real property, owned, rented, or leased by one or more persons, but not including intrabuilding real property divisions.

(23) "Public safety vehicle" means any of the following:

(1) Ambulances, including private ambulance companies under contract to a municipal corporation, township, or county and private ambulances and nontransport vehicles bearing license plates issued under Section 4503.49 of the Revised Code;

(2) Motor vehicles used by public law enforcement officers or other persons sworn to enforce the criminal and traffic laws of the State;

(3) Any motor vehicle when properly identified as required by the Ohio Director of Public Safety, when used in response to fire emergency calls or to provide emergency medical service to ill or injured persons, and when operated by a duly qualified person who is a member of a volunteer rescue service or a volunteer fire department, and who is on duty pursuant to the rules or directives of that service. The State Fire Marshal shall be designated by the Director of Public Safety as the certifying agency for all public safety vehicles described in this subsection.

(4) Vehicles used by fire department, including motor vehicles when used by volunteer firemen responding to emergency calls in the fire department service when identified as required by the Ohio Director of Public Safety. Any vehicle used to transport or provide emergency medical service to an ill or injured person, when certified as a

public safety vehicle, shall be considered a public safety vehicle when transporting an ill or injured person to a hospital regardless of whether such vehicle has already passed a hospital.

(24) "Receiving Land" means any real property whether residential, institutional, commercial or manufacturing, which receives noise across the boundary line.

(25) "Residential Area" means any area zoned or utilized for residential purposes.

(26) "Safety Director" means the Director of the Department of Public Safety of the City of Columbus or authorized representative.

(27) "Shoreline" means the existing intersection of water with the ground surface or with any shore-connected facility.

(28) "Sound level meter" means an instrument for measurement of sound levels conforming to American National Standard Institute's Specification for Sound Level Meters.

(29) "Sound pressure level" means twenty times the common logarithm of the ratio of the pressure of the sound to a reference level of 20 micropascals.

(30) "Stationary noise source" means a machine or device capable of creating a noise level at the property upon which it is regularly located, including, but not limited to standing motor vehicles, industrial and commercial process machinery and equipment, pumps, fans, air-conditioning apparatus or refrigeration machines.

(31) "Vehicle" means every device, including a motorized bicycle, in, upon or by which any person or property may be transported or drawn upon a street or highway, except motorized wheelchairs, devices used exclusively upon stationary rails or tracks, and devices other than bicycles moved by human power.

(32) "Warning device" means any device, which signals an unsafe or potentially dangerous situation.

(33) "Watercraft" means any of the following when used or capable of being used for transportation on the water:

(a) A boat operated by machinery either permanently or temporarily affixed;

(b) A sailboat other than a sailboard;

(c) An inflatable, manually propelled boat having a hull identification number meeting the requirement of the United States coast guard;

(d) A canoe or row boat.

"Watercraft" does not include ferries as referred to in Chapter 4583 of the Revised Code.

"Watercraft" subject to Section 1547.54 of the Revised Code shall be divided into four classes as follows:

Class A: Less than sixteen feet in lengths-

Class 1: At least sixteen feet but less than twenty-six;

Class 2: At least twenty-six feet but less than forty feet in lengths-

Class 3: At least forty feet but not more than sixty-five feet in length.

Any watercraft over sixty-five feet in length shall comply with federal regulations.

(34) "Waterways" shall mean all City-controlled water including, but not limited to reservoirs, reservoir lands, rivers, lakes, creeks, streams, ponds and water-filled quarries.

(B) Noise levels for land use districts.

(1) The maximum allowable hourly average sound level, emitted from any stationary noise source, shall not exceed the limits set forth in Table I for the respective categories of receiving land use. The actual sound level shall be determined during any measurement period, which shall not be less than sixty (60) consecutive minutes, and shall be measured at the property boundary affected by the noise.

TABLE I

Receiving Land Use Category	Time	1 hr. Average Sound Level (dBA)
Institutional	10 p.m. to 7 a.m.	60
	7 a.m. to 10 p.m.	65
Residential (all categories) Commercial	10 p.m. to 7 a.m.	60
	7 a.m. to 10 p.m.	65
	10 p.m. to 7 a.m.	70
	7 a.m. to 10 p.m.	75
Manufacturing	Anytime	80

(2) New Structures and Development. Prior to the approval of a zoning change, the noise impact of the zoning change may be reviewed by the Director of the Department or his designee, identifying existing and projected noise sources and their associated sound level. Such review shall include, but is not limited to air transportation and land transportation noise sources as well as stationary noise sources. Adequate control measures may be recommended to mitigate the impact of those identified noise sources to effect compliance with this code.

(C) Unreasonable noise:

No person shall make or allow to be made any unreasonably loud and or raucous noise in such a manner or at such volume as to annoy or disturb the quiet, comfort, or repose of a person of ordinary sensibilities, or to be plainly audible to persons within a distance of 50 feet or more if the device is being used out of doors. Strict liability is intended to be imposed for this section.

(D) Special provisions (exemptions).

(1) The provisions of Section 2329.11 shall not apply to the following:

- (a) The emission of sound for the purpose of alerting persons to the existence of an emergency, or the emission of sound in the performance of emergency work.
- (b) Warning devices necessary for the protection of public safety.
- (c) Outdoor gatherings, public dances, shows, and sporting and entertainment events, provided these events are conducted pursuant to a permit or license issued by the Section of Licensing. Public works projects as authorized by the State and/or other political subdivisions.

(E) Inspection.

- (1) The appropriate authority may inspect upon consent, at any reasonable time and in a reasonable manner, any device or mechanism, which creates any disturbing noise, including but not limited to the premises where such device or mechanism is used.
- (2) If entry to the premises is denied or refused, the appropriate authority shall obtain an inspection warrant from a court of competent jurisdiction.

(F) Variance Procedure

(1) Any person who violates any provision of Section 2329.11

(B)(1) and (2) not covered by permit or license may file an application with the Columbus Board of Health for a variance.

The Board of Health may grant a variance in a specific case and from a specific provision of any regulation, order or notice subject to appropriate conditions and provided the Board makes specific findings of fact based on evidence relating to the following:

- (a) That there are practical difficulties or unnecessary hardships in carrying out the strict letter of any regulation, order or notice; and
- (b) That the effect of the application of the provisions would be arbitrary in the specific case; and
- (c) That an extension would not constitute an appropriate remedy for these practical difficulties or unnecessary hardships and this arbitrary effect; and
- (d) That such variance is in harmony with the general purpose and intent of the Board in securing the public health, safety and general welfare.

The application shall be accompanied by a fee in the amount of one hundred dollars (\$100). A separate application shall be filed for each noise source; however, several mobile sources under common ownership, or several fixed sources on a single property may be combined into one application. Upon receipt of said application and fee, the Board will render a decision within 30 calendar days.

- (2) Any person who violates any provision of Section 2329.11 other than those specified in 2329.11(F)(1) which is not covered by permit or license may file an application with the Director of Public Safety for a variance. The applicant shall set forth all actions taken to comply with said provision, the reasons why compliance cannot be achieved, the proposed method for achieving compliance, and the proposed time schedule for its accomplishment.

The application shall be accompanied by a fee in the amount of one hundred dollars (\$100). A separate application shall be filed for each noise source; however, several mobile sources under common ownership, or several fixed sources on a single property may be combined into one application. Upon receipt of said application and fee, the Safety Director will render a decision within 30 calendar days.

(G) Issuance of orders.

(1) The Health Commissioner, Safety Director or their designee may issue orders requiring the abatement of all violations of this chapter and the correction of any condition, which may result in a violation of this chapter. Failure to act upon such order within the time limit set forth therein or within the time extension granted by the Commissioner, Director or their designee, may result in revocation of any existing permit issued under this chapter.

(H) Severability. If any provision of this chapter is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the remaining provisions of this chapter shall not be invalidated.

(I) Penalty. Whoever violates this section is guilty of loud and raucous noise, a minor misdemeanor. Except as otherwise provided in this division, unreasonably loud and raucous noise is a minor misdemeanor. If the offender persists in making or allowing to be made unreasonably loud and raucous noise after reasonable warning or request to desist within a twelve (12) hour period, unreasonably loud and raucous noise is a misdemeanor of the fourth degree. If the offender has previously been convicted of making or allowing to be made loud and raucous noise, a violation of this section is a misdemeanor of the fourth degree.

Section 2. That existing Section 2329.11 of the Columbus City Codes, 1959, be repealed.

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed April 01, 2002, Michael Mentel, President Pro Tem / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD NO. 0533-02

To supplement the Columbus City Codes, 1959, by amending C.C. 3303, of the Columbus Zoning Code, to redefine the definitional sections in Section 3303.01 regarding "Adult entertainment establishment, "Adult material" and "Adult store"; and to declare an emergency.

WHEREAS, On July 30, 2001, City Council enacted Ordinance 1425-01, which created new definition for Sexually Oriented Businesses; and

WHEREAS, On December 6, 2001, the U.S. Court of Appeals for the Sixth Circuit issued a decision the case of *Deja vu v. The Metropolitan Government of Nashville, et al.*, 274 F.3d 377, which set forth certain constitutional parameters pertaining to adult entertainment businesses; and

WHEREAS, it is the desire and intention of City Council to harmonize City Code Chapter 3303 with the parameters set forth in *De/a vu v. The Metropolitan Government of Nashville, et al*, 274 F.3d 377; and

WHEREAS, the City of Columbus is aware of and has reviewed numerous studies, reports, article judicial decisions and the experience and legislative findings of other municipalities concerning the impacts secondary effects, of adult entertainment establishments and other adult oriented businesses, and the sale distribution, and display of adult oriented materials (collectively, "Sexually Oriented Businesses") on the areas in which such Businesses are located or take place; and

WHEREAS, Sexually Oriented Businesses can cause or contribute significantly to increases in criminal activity in the areas where they are located, thereby taxing crime prevention, law enforcement, and public health services; and

WHEREAS, nude dancing and other similar conduct featured by Sexually Oriented Businesses encourages prostitution, increases the frequency of sexual assaults, attracts or encourages other related criminal activity, increases the risks to public health and safety, and otherwise causes or contributes significantly to the adverse impacts and secondary effects on the areas in which such Businesses are located or take place; and

WHEREAS, Sexually Oriented Businesses can cause or contribute significantly to the deterioration of residential neighborhoods; can impair the character and quality of such neighborhoods and the housing located within them; and can inhibit the proper maintenance and growth of such neighborhoods, limiting or reducing the availability of quality, affordable housing for areas residents and reducing the value of property in such area and

WHEREAS, Sexually Oriented Businesses can undermine the stability of other established businesses and commercial uses in the areas in which such Sexually Oriented Businesses are located and can cause or contribute significantly to the deterioration of such other business and commercial uses, thereby causing or contributing to a decline in such uses, an inhibition on business and commercial growth, and a resulting adverse impact on local government revenues and property values; and

WHEREAS, the presence of Sexually Oriented Businesses is perceived by the public generally and by neighboring business owners and residents as an indication that the area in which such Businesses occur or take place is in decline and deteriorating, a perception that can quickly lead to such decline and deterioration, prompting businesses and residents to flee the affected area to avoid the consequences of such decline and deterioration; and

WHEREAS, the exterior appearance, including signage, of Sexually Oriented Businesses can have an adverse impact on young people, can contribute to the decline of property values, and can otherwise cause or contribute significantly to the adverse and secondary effects; and

WHEREAS, adult entertainment establishments and adult stores can have a distracting influence on students attending schools; can diminish the enjoyment of persons using parks, playgrounds, and other public recreation centers; can interfere with the spiritual experience of persons attending places of worship; and

WHEREAS, the regulations established pursuant to this ordinance are in no way based upon the content of protected speech, if any, associated with Sexually Oriented Businesses, and the purpose and intent of the regulations established pursuant to this Ordinance is not to restrict or prohibit protected speech, if any, associated with Sexually Oriented Businesses, but rather is to address, mitigate, and, if possible, eliminate the adverse impacts and secondary

effects of Sexually Oriented Businesses on the areas in which such Businesses are located or take place and to ensure that these Businesses are established, managed and operated in a safe and legal manner at all times; and

WHEREAS, it is the purpose of this ordinance is to amend the Columbus Zoning Code, Chapter 3303, Definitions, Section 3303.01, Letter A., to redefine the definitional sections regarding "Adult entertainment establishment, "Adult material" and "Adult store"; and

WHEREAS, in a Public hearing before the Columbus Development Commission on March 14, 2002 the proposed amendments were approved; and

WHEREAS, an emergency exists in the usual daily operations of the Department of Development that it is immediately necessary to enact these code changes in order to prevent any problem with the enforcement of the provisions of the Columbus Zoning Code, Title 33, thereby preserving the public health, peace, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That Section 3303.01 of the Columbus City Codes, 1959, be and hereby is amended to read as follows:

3303.01 Letter A.

"Abattoir" means a use or building arranged or devoted to the killing of animals other than poultry or game.

"Abutting" means bordering.

"Accessory" means a subordinate use, building or structure located on the same lot with and of a nature incidental to the principal use, building or structure.

"Accessory Parking" and "Non-accessory Parking."

1. "Accessory parking" means automobile parking as a subordinate use and of a nature incidental to but supportive of the principal use, building or structure. Accessory parking is characterized as a free service for employees and/or customers of the principal use, building, or structure.

2. "Non-accessory parking" means automobile parking as a principal rather than a subordinate land use and is neither accessory nor code-required. Non-accessory parking is generally characterized as commercial service.

"Activities, specified sexual." (See "Specified sexual activities")

"Activity" means an individual tenant, business, or other commercial or noncommercial establishment or occupancy.

"Addition" means a part added to a building either by constructing so as to form one (1) architectural whole or by joining, as by a passage, so that each is a necessary adjunct or appurtenance of the other or so that they constitute the same building.

"Administrator" when used without clarification means the Building Services Administrator.

"Adult booth" means an area of an Adult entertainment establishment or Adult store separated from the rest of a building by a divider, partition, or wall and used to:

1. Demonstrate, play, or show adult material, or

2. View a live performance distinguished or characterized by an emphasis on the depiction description, exposure, or representation of Specified anatomical areas, or the conduct or simulation of Specified sexual activities.

"Adult entertainment establishment means an ~~establishment~~ auditorium, bar, cabaret, concert hall nightclub, restaurant, theater, or other similar commercial establishment that recurrently features or provides one or more of the following:

1. Persons who appear in the nude,

2. A live performance distinguished or characterized by an emphasis on the depiction, description, exposure, or representation of Specified anatomical areas or the conduct or simulation of Specific sexual activities, or

3. Audio or video displays, computer displays, films, motion pictures, slides, or other visual representations or recordings characterized or distinguished by an emphasis on the depiction, description, exposure, or representation of Specified anatomical areas, or the conduct or simulation of Specified sexual activities.

"Adult material" means items consisting of one or more of the following:

1. Digital or printed books, magazines, and periodicals, audio.

~~2. Audio~~ 2. Audio or video displays, computer displays, films, motion pictures, slides, or other visual representations or recordings that are characterized or distinguished by an emphasis on the depiction, description, exposure, or representation of Specified anatomical areas or the conduct or simulation of Specified sexual activities, or

~~2. 3~~ 3 Devices, instruments, novelties, or paraphernalia designed for use in connection with Specified sexual activities, or that depict or describe Specified anatomical areas.

"Adult store" means one or more of the following:

~~1. An Adult booth,~~

~~2. A segment or section for the display or sale of Adult material, or~~

~~3. A majority of its business providing Adult material for rent, sale or viewing.~~

1. An establishment which has a majority of its shelf space or square footage devoted to the display, rental, sale, or viewing of adult material any form of consideration.

2. An establishment with an Adult booth.

"Aggregate graphic area." (See "Graphic area.")

"Alley" means a right-of-way not less than ten (10) feet wide but less than thirty-five (35) feet wide located at the rear or side of lots, dedicated to public use for travel or transportation and generally affording secondary access to abutting property.

"Alley line" means a lot line bordering on an alley.

"Alter" or "Alteration," and "Structural Alteration."

"Alter" or "alteration" means any change, rearrangement or modification in construction or in the exit facilities, or the moving of partitions from one location or position to another.

"Structural alteration" means any change in the supporting members of a building such as bearing walls columns, lintels, beams or girders, or floor construction.

"Amusement arcade" means any place of business at which five (5) or more game machines as defined in Section 559.01 of the Columbus City Codes, 1959, are located for the use or entertainment of persons patronizing the place of business.

"Anatomical areas, specified" (See: "Specified anatomical areas")

"Animated graphic." (See "Graphic.")

"Antenna" means any system of wires, poles, rods or similar devices for transmitting or receiving radio signals or television signals, or both, together with the structure used for the primary purpose of supporting same, including the foundation, guys, and all other components thereof.

"Apartment complex" means a residential development under one control and consisting of three (3) or more apartment houses erected on a lot which has frontage on and access to a public street through an approved system of private drives.

"Apartment hotel" means a building arranged, intended, or designed to be occupied by five (5) or more individuals or groups of individuals living independently but having a common heating system and a general dining room.

"Apartment house" means a building arranged, intended, or designed to be occupied by five (5) or more individuals, groups of individuals or families living independently of each other and with cooking facilities for the exclusive use of each of the individuals, groups of individuals, or families who occupy the premises. The number which an apartment house is designed to accommodate shall be determined by the number of separate dwelling units in such dwelling.

"Approved combustible material" means wood or any material not more combustible than wood, as specified in the most recent National Electrical Code; and approved plastics.

"Architectural decoration" means an element, design, or motif, other than an architectural feature; installed, attached, painted or applied to the exterior of a building or structure for the purpose of ornamentation or artistic expression. (Compare with "Architectural feature.")

"Architectural feature" means a window, door or other element of building design intended to be functional and any ornamentation associated therewith. (Compare with "Architectural decoration.")

"Architectural review commission" when used without clarification means the historic resources commission created by Chapter 3117, C.C., or an architectural review commission created by Chapter 3319 to Chapter 3331, C.C., inclusive, and having jurisdiction over the application.

"Architectural review commission guidelines" means the document adopted by an architectural review commission that sets forth the architectural characteristics of a listed property or an architectural review commission area, or a specific property therein and provides design guidance for appropriate construction or alteration therein pursuant to the provisions of the pertinent chapter. Guidelines and standards are intended to be consistent with each other.

"Arterial street" means any street for which the primary function is to move vehicles from one section of the city or county and which is so designated on the city of Columbus thoroughfare plan and arterial construction type adopted by city council and used for express, moderate speed travel (usually thirty-five to fifty (35-50) miles per hour) within an urbanized area.

"Automatic changeable copy." (See "Changeable copy.")

"Aviation field" means a use devoted to the take-off, landing and storing of aircraft.

"Awning" means a hood or cover that projects from the wall of a building intended only for shelter or ornamentation.

"Fixed awning" means an awning constructed with a rigid frame which cannot be retracted, folded or collapsed.

"Illuminated awning" means a fixed awning covered with a translucent membrane and which is, in whole or part, illuminated by light passing through the membrane from within the structure; also known as an "electric awning."

"Retractable awning" means an awning, which can be, retracted, folded, or collapsed against the face of the supporting building.

"Canopy" means an awning, which is additionally supported by one (1) or more columns.

"Marquee" means a fixed awning or canopy, which requires additional loading for graphics.

SECTION 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed April 01, 2002, Matthew D. Habash, President of Council / Approved April 02, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

TABLE OF CHANGES IN YOUR 1959
COLUMBUS CITY CODE

Code	Ordinance	2001	Page	Subject
To repeal current chapter	1670-01	45	2149	To repeal current chapter C.C. 4414 and Chapter 4116 of the Columbus City Codes, 1959, and create a new Chapter 4114 - "License and Registration" in order to assure compliance with statewide testing and licensing of all building service equipment contractors as set forth in Substitute House Bill 434 and to recognize the Chapter for clarity.
To amend Chapter 1149	1769-01	47	2295	To amend Chapter 1149 of the Columbus City Codes 1959, to enact new storm water fees effective January 1, 2002, and to repeal the existing Section being amended.
To amend and repeal	1909-01	48	2367	To amend and repeal various sections of the Columbus City Codes, 1959, in order to consolidate several existing Divisions within the Department of Public Service into a new Transportation Division.
To amend Chapter 361	1360-01	50	2501	REPRINTED WITH CORRECTIONS - To amend Chapter 361 of the Columbus City Codes, 1959, to clarify and remove certain language related to the definition of taxable income under the City Code.
To supplement Chapters	2044-01	50	2502	To supplement Chapters 101.03, 117.05, 121.04 and 3303.16 of the Columbus City Code, 1959, by adding interpretations for bound, distribution, publish, and printed; updating and clarifying City Bulletin subscription and publication code language, and adding a reference to Public Notice.
To amend existing	2099-01	51	2571	To amend existing C.C. 3381.18 of the Columbus City Codes, 1959, by re-titling the section, amending language in parts "A-C" and creating a new part "D" requiring limited and general sign contractors to register with the City's Income Tax Division and new part "E" setting the parameters for suspension of a Department issued sign contractor's license.
To enact Section 221.07	2100-01	51	2573	To enact Section 221.07, Columbus City Codes, to establish the time after which a property owner may not remove their signature on a petition for improvements pursuant to Section 181-1 of the Columbus City Charter.
To establish fees	2177-01	51	2574	To establish fees for street plain review by the Department of Public Service pursuant to the Columbus City Codes, 1959, and to repeal ordinance 2071-86, passed July 14, 1986.
To supplement City Codes	2178-01	51	2575	To supplement the Columbus City Codes, 1959, by creating a new Chapter 4116, entitled "Development Services Council and Special Revenue Fund" in Title 41, Columbus Building Code, in order to establish a Development Services Council and customer service standard to assist in the implementation of the "One-Stop Shop" initiative.
Code	Ordinance	2002	Page	Subject
To amend Chapter 111	0001-02	3	34	To amend chapter 111 of the Columbus City Codes, 1959, as it related to the Standing Committees of Columbus City Council; and to declare an emergency.
To amend Chapter 1107	2197-01	4	105	To amend Chapter 1107 of the Columbus City Codes, 1959, by adding a paragraph relating to credit balances on closed accounts of customers1 of the Division of Water
To amend various Codes	0018-02	4	106	To amend various sections of the Columbus City Codes, 1959, to change the name of the fund where fees collected from permits and plans examination monies are to be deposited from the Street Construction maintenance and Repair Fund or the General Fund to the Development Services Special Revenue Fund; to enact a new section in order to specify the nonrefundable nature of zoning related fees; and to declare an emergency.
To supplement Codes	1604-01	6	254	To supplement the Columbus City Codes, 1959, by amending sections in Title 3, Finance and Taxation Code, in order to codify changes to the process used for awarding professional services contracts exceeding \$50,000.
To amend Sections	0080-02	6	259	To amend Sections 2107.06, 2150.05 (C), 2150.06 (6) (D), and 2150.10 of the Columbus City Codes, 1959, relations to impounding lot fees and parking infraction fines.
To amend Codes	0448-02	14	715	To amend various sections of the City of Columbus Fire Prevention Code (Title 25) so that portions of fees collected from certain development related permits and plans examination, while remaining unchanged, are deposited into the Development Services Special Revenue Fund; and to declare an emergency.
To supplement Codes	0533-02	14	718	To supplement the Columbus City Codes, 1959, by amending C.C. 3303, of the Columbus Zoning Code, to redefine the definitional sections in Section 3303.01 regarding "Adult entertainment establishment", "Adult material" and "Adult store"; and to declare an emergency.
To repeal existing Chapter	0453-02	14	722	To repeal an existing Chapter of the Columbus City Codes, 1959, regarding loud noises and to enact a new Chapter that vests the Director of Public Safety with the legal authority to exercise actions to abate nuisance and loud noise and to clarify the acts that constitute unreasonable noise as a criminal offence.